



**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS**

IN THE MATTER OF	§	
JOHN E. S. KRAMAR	§	CAUSE NO. 47840
STATE BAR CARD NO. 11703300	§	

JUDGMENT OF SUSPENSION

On the 28th day of January 2011, the above-styled and numbered Petition for Compulsory Discipline was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline of the State Bar of Texas appeared by attorney and announced ready. Respondent, John E. S. Kramer, appeared in person and by attorney and announced ready. All issues of fact as well as all questions of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, John E. S. Kramar, State Bar Card Number 11703300, is licensed and authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about January 17, 2006, John E. S. Kramar was charged by Indictment with Conspiracy to Commit Mail Fraud, Wire Fraud and Insurance Fraud and Money Laundering Conspiracy, in Case No. 8:06-CR-00026-T26 TBM, styled *United States of America v. Michael Ernest Zapetis, Sr., Karen Carazo Zapetis, a/k/a "Karen Lois Gimbrone Carazo", a/k/a "Karen Lois Carazo", a/k/a "Karen*

Zapetis", a/k/a "*Karen Leicht*", *Richard Joseph Solomon*, *William Allen Broughton*, a/k/a "*W. Allen Broughton*", a/k/a "*Allen Broughton*", *Clifton Fred Lees*, a/k/a "*Cliff Lees*", *William L. Clancy*, a/k/a "*Bill Clancy*", *John E. S. Kramar*, a/k/a "*Jess Kramar*", *Peter Ivan Greengrass*, *Richard William Peterson*, a/k/a "*Richard Snyder*", a/k/a "*Dick Snyder*" a/k/a "*Bob James*", and *Anthony John Hicks*, in the United States District Court, Middle District of Florida, Tampa Division.

- (3) On or about October 18, 2006, a Plea Agreement was entered in Case No. 8:06-CR-26-T-26TBM, styled *United States of America v. John E. S. Kramar* a/k/a "*Jes Kramar*", in the United States District Court, Middle District of Florida, Tampa Division, wherein Kramar pled guilty to Count One of the Indictment charging him with Conspiracy to Commit Mail Fraud, Wire Fraud, and Insurance Fraud, in violation of 18 U.S.C. § 371.
- (4) On or about August 20, 2010, a Judgment in a Criminal Case was entered in Case No. 8:06-CR-26-T-26TBM, styled *United States of America v. John E. S. Kramar*, in the United States District Court, Middle District of Florida, Tampa Division, wherein Kramar was placed on probation for a term of five (5) years, required to participate in the Home Detention program for a period of one year, ordered to perform 100 hours of community service for each year of his probation, ordered to pay a \$100.00 assessment and further ordered to forfeit his interest in a money judgment in the amount of \$73,765.50 to the United States.
- (5) Respondent, John E. S. Kramar, is the same person as the John E. S. Kramar who is the subject of the criminal judgment described above.
- (6) Respondent's criminal sentence was fully probated.
- (7) Respondent has to date successfully complied with the terms and conditions of his criminal probation.
- (8) Respondent self-reported his criminal case to the State Bar of Texas before conviction.
- (9) Respondent's last criminal activity was in 2001, and he has no prior discipline.
- (10) Respondent has agreed to serve the full term of any suspension this

Board might impose in the event that his criminal sentence is terminated before completion of the term of probation as originally assessed.

Conclusions of Law. Based upon the foregoing findings of fact the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Texas Rules of Disciplinary Procedure 7.08(G) (“TRDP”).
- (2) For purposes of TRDP Part VIII, Respondent has been convicted of an Intentional Crime, TRDP 1.06T, which is also a Serious Crime. TRDP 1.06Z.
- (3) Respondent, John E. S. Kramar, should be suspended for the remainder of the term of his criminal probation as originally assessed.
- (4) An early termination of respondent’s criminal probation shall have no effect on the term of suspension imposed by this judgment which shall continue for the full period as set forth below.
- (5) In the event that the Respondent’s criminal probation is revoked, Respondent should be disbarred. TRDP 8.06.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, John E. S. Kramar, State Bar Card No. 11703300, be and he is hereby SUSPENDED from the practice of law in the State of Texas for a period beginning effective the date of this judgment and ending August 20, 2015.

It is further ORDERED, ADJUDGED and DECREED that Respondent, John E. S. Kramar, during said suspension is prohibited from practicing law in Texas, holding himself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services not completed before the date of this judgment, appearing as counsel in any proceeding in any Texas court or before any Texas administrative body, or holding himself out to others or using

his name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, John E. S. Kramar, not later than thirty (30) days from the date of this judgment shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent, John E. S. Kramar, has any legal matter pending, if any, of his suspension, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, John E. S. Kramar, shall immediately notify each of his current clients, if any, in writing, of his suspension. In addition to such notification, Respondent is ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former clients, if any, to those respective clients or former clients within thirty (30) days after the date on which this Judgment is signed by the Board. Respondent is further ORDERED to file with this Board, within the same thirty (30) days, an affidavit stating that all current clients have been notified of his suspension and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property. Respondent is also ORDERED to mail a copy of said affidavit and copies of all notification letters to clients, to

the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, John E. S. Kramar, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further ORDERED that, in the event that the above-described criminal probation of Respondent, John E. S. Kramar, is revoked, Respondent, John E. S. Kramar, shall be DISBARRED pursuant to TRDP 8.06 upon the filing by the Chief Disciplinary Counsel of an appropriate motion supported by certified copies of court documents showing that such criminal probation has been revoked and hearing on said motion.

Signed this 2nd day of February 2011.



CHAIR PRESIDING