

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

IN THE MATTER OF	§	
TODD R. PHILLIPPI	§	CAUSE NO. 48678
STATE BAR CARD NO. 00790178	§	

JUDGMENT OF DISBARMENT

On the 1st day of July 2011, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer discipline of the State Bar of Texas appeared by counsel from the Office of the Chief Disciplinary Counsel and announced ready. Respondent, Todd R. Phillippi, although duly cited to appear and having notice of the hearing, failed to answer or appear and wholly made default. 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, Todd R. Phillippi, State Bar Card Number 00790178, is licensed but not currently authorized to practice law in the State of Texas by the Supreme Court of Texas due to prior disciplinary suspensions.
- (2) Respondent was charged by Indictment with two counts of Tampering with a Governmental Record in Cause No. 35175CR, styled *The State of Texas v. Todd Rowland Phillippi*, in the 40th Judicial District Court of Ellis County, Texas.
- (3) On or about May 10, 2011, a Judgment on Plea of Guilty Before Court Waiver of Jury Trial was entered in Cause No. 35175CR, styled *The State of Texas v. Todd Rowland Phillippi*, in the 40th Judicial District Court of Ellis County, Texas, wherein Respondent pled guilty to two counts of Tampering

with a Governmental Record and was sentenced to one hundred eighty (180) days in State Jail and ordered to pay costs of \$270.

- (4) Respondent, Todd R. Phillippi, is the same person as the Todd Rowland Phillippi who is the subject of the Judgment described above.
- (5) Respondent was personally served by a duly authorized process server with the petition for compulsory discipline and hearing notice on May 25, 2011, and the affidavit of service was filed with the Board on June 3, 2011.
- (6) Respondent did not appeal the criminal conviction in Cause No. 35175CR.
- (7) Respondent's criminal sentence was not fully probated.

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) Respondent has been convicted of an Intentional Crime as defined by TRDP 1.06(T). Said crime is also a Serious Crime as defined by TRDP 1.06(Z).
- (3) Respondent, Todd R. Phillippi, having pled guilty to an Intentional Crime, has been convicted for purposes of compulsory discipline pursuant to TRDP 8.04.
- (4) Because the conviction is final and Respondent's criminal sentence was not fully probated, Respondent, Todd R. Phillippi, should be disbarred. TRDP 8.05.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Todd R. Phillippi, State Bar Card No. 00790178, be, and he is hereby, DISBARRED from the practice of law in the State of Texas and his license to practice law in this state be, and is hereby, revoked.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Todd R. Phillippi, is hereafter permanently prohibited, effective immediately, 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, Todd R. Phillippi, shall notify in writing, no later than thirty (30) days from the date of this judgment, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Todd R. Phillippi, has any legal matter pending, if any, of his disbarment, 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, Todd R. Phillippi, shall immediately notify each of his current clients, if any, in writing, of his disbarment. 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 the Statewide Compliance Monitor, within the same thirty (30) days, an affidavit stating that all current clients have been notified of his disbarment 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, Todd R. Phillippi, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor for transmittal to the Clerk of the Supreme Court of Texas.

Signed this 6th day of July 2011.



CHAIR PRESIDING