



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

IN THE MATTER OF	§	
TED H. ROBERTS	§	CAUSE NO. 40196
STATE BAR CARD NO. 17019705	§	

FINAL JUDGMENT OF DISBARMENT

On January 27, 2012 the Board called for the hearing the Motion for Entry of Final Order filed by Petitioner Commission for Lawyer Discipline of the State Bar of Texas in this compulsory discipline case. Petitioner appeared by counsel and announced ready. Respondent Ted H. Roberts appeared *pro se*, having filed his objection to the finality of the criminal conviction, and asked the Board to continue the hearing until his attacks on the judgment by petition for habeas corpus in federal court were exhausted.

The Board finds that:

- (1) Respondent has stipulated that all direct appeals of his criminal conviction are completed, and that the 4th Court of Appeals of the State of Texas issued its mandate on December 18, 2010 ordering that the judgment of conviction is final and must be enforced.
- (2) Respondent has stipulated that his criminal conviction was not fully probated.
- (3) Respondent's conviction for the commission of an Intentional Crime as defined by TRDP 1.06(T) has become final and is not subject to further direct appeal.
- (4) The Board has continuing jurisdiction to enter final judgment in this cause.
- (5) Respondent's Motion for Continuance should be denied.
- (6) Petitioner's Motion for Entry of Final Order should be granted.

Interlocutory Suspension

After a hearing on September 27, 2007, at which Respondent appeared, the Board of Disciplinary Appeals signed an Order of Interlocutory Suspension on October 2, 2007 which recited the following findings of fact and conclusions of law:

- (1) Respondent, Ted R. Roberts, State Bar Card Number 17019705, is currently licensed to practice law in the State of Texas, but his license was suspended indefinitely by agreed order dated June 16, 2007.
- (2) On June 12, 2007, a Judgment of Conviction by Jury was signed convicting Ted H. Roberts of three counts of Theft under Texas Penal Code 31.03 in Cause No. 2006CR6404B, 226th District Court of Bexar County, Texas, styled *The State of Texas vs. Ted H. Roberts*.
- (3) Pursuant to said Judgment of Conviction by Jury, Respondent Ted H. Roberts was sentenced to five (5) years incarceration in the Institutional Division of the Texas Department of Criminal Justice as to each count of Theft, said sentences to run concurrently.
- (4) Respondent Ted H. Roberts is the same person as the defendant Ted H. Roberts convicted in the criminal case 2006CR6404B as set forth above.
- (5) Respondent has appealed the criminal conviction.
- (6) Respondent's criminal sentence is not fully probated.
- (7) This Board has jurisdiction to hear and determine this matter. Rule 7.08(G), Texas Rules of Disciplinary Procedure ("TRDP").
- (8) Respondent, having been convicted of Theft, has been convicted of an Intentional Crime as defined in TRDP 1.06T for purposes of compulsory discipline pursuant to Part VIII TRDP. Said crime is also a Serious Crime as defined by TRDP 1.06Z.
- (9) Having been found guilty and convicted of an Intentional and Serious crime, and such conviction currently being appealed, Respondent Ted H. Roberts should be suspended from practicing law in Texas during the appeal of his criminal conviction. TRDP 8.04.
- (10) In the event that the conviction of Respondent Ted H. Roberts is affirmed and becomes final, he should be disbarred. TRDP 8.05.

Disbarment

The Board has determined that Respondent should be disbarred. It is, therefore, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Ted H. Roberts, State Bar Card No. 17019705, 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, Ted H. Roberts, 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, 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 or bard card number, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, Ted H. Roberts, 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 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 Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that Respondent, Ted H. Roberts, 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 Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, 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 copies of all notification letters to clients to the Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that Respondent, Ted H. Roberts, if he has not already done so, immediately surrender his Texas law license and permanent State Bar Card to the Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of Texas, P. O. Box 12487, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

Signed this 31st day of January 2012.



CHAIR PRESIDING