



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

IN THE MATTER OF §
ARMANDO ROBERTO VILLALOBOS § **CAUSE NO. 53871**
State Bar of Texas Card No. 00788584 §

INTERLOCUTORY ORDER OF SUSPENSION

On the 25th day of July 2014, 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 attorney and announced ready. Respondent, Armando Roberto Villalobos, although duly cited to appear and having notice of the hearing, failed to answer or appear and wholly made default. All questions of fact as well as all issues 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, Armando Roberto Villalobos, whose State Bar Card number is 00788584, is licensed but not currently authorized by the Supreme Court of Texas to practice law in the State of Texas.
- (2) On or about January 7, 2013, Respondent was charged by Superseding Indictment with Count 1s - Participating in Conduct and Affairs of a Criminal Enterprise, the Activities which Affected Interstate and Foreign Commerce, through a Pattern of Racketeering Activity – Racketeer Influenced and Corrupt Organization (RICO), in violation of 18 U.S.C. §1962(c), Count 2s – Conspiracy to Participate in Conduct and Affairs of a Criminal Enterprise, the Activities which Affected Interstate and Foreign Commerce, through a

Pattern of Racketeering Activity, in violation of 18 U.S.C. §1962(d), Count 3s - Extortion (Under color of Official Right) and Aiding and Abetting, in violation of 18 U.S.C. §§1951 and 2, Count 4s - Extortion (Under color of Official Right) and Aiding and Abetting, in violation of 18 U.S.C. §§1951 and 2, Count 5s - Extortion (Under color of Official Right) and Aiding and Abetting, in violation of 18 U.S.C. §§1951 and 2, Count 6s - Extortion (Under color of Official Right) and Aiding and Abetting, in violation of 18 U.S.C. §§1951 and 2, Count 7s - Extortion (Under color of Official Right) and Aiding and Abetting, in violation of 18 U.S.C. §§1951 and 2, Count 8s - Extortion (Under color of Official Right) and Aiding and Abetting, in violation of 18 U.S.C. §§1951 and 2, and Count 9s - Extortion (Under color of Official Right) and Aiding and Abetting, in violation of 18 U.S.C. §§1951 and 2, in Cause No. B-12-374-S1, styled *United States of America v. Armando Villalobos (1) Eduardo "Eddie" Lucio (2)*, in the United States District Court for the Southern District of Texas, Brownsville Division.

- (3) On or about February 13, 2014, a Judgment in a Criminal Case was entered in Case No. 1:12CR00374-S1-001, styled *United States of America v. Armando Villalobos*, in the United States District Court for the Southern District of Texas, Holding Session in Brownsville, wherein Respondent was found guilty of Count 1s - Participating in Conduct and Affairs of a Criminal Enterprise, the Activities which Affected Interstate and Foreign Commerce, through a Pattern of Racketeering Activity – Racketeer Influenced and Corrupt Organization (RICO), Count 2s – Conspiracy to Participate in Conduct and Affairs of a Criminal Enterprise, the Activities which Affected Interstate and Foreign Commerce, through a Pattern of Racketeering Activity, Count 4s - Extortion (Under color of Official Right) and Aiding and Abetting, Count 5s - Extortion (Under color of Official Right) and Aiding and Abetting, Count 6s - Extortion (Under color of Official Right) and Aiding and Abetting, and Count 9s - Extortion (Under color of Official Right) and Aiding and Abetting, and was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of one hundred fifty-six (156) months on each count, to be served concurrently. Respondent was ordered upon release from imprisonment to be on supervised release for three (3) years on each count, to be served concurrently, ordered to perform 150 hours of community service, ordered to pay an assessment of \$600.00, a fine of \$30,000.00 and restitution of \$339,000.00.
- (4) Respondent, Armando Roberto Villalobos, is the same person as the Armando Villalobos who is the subject of the criminal case described above.
- (5) Respondent has appealed the criminal conviction.
- (6) Respondent was personally served with the First Amended Petition for

Compulsory Discipline with hearing setting notice by a Boyd County Deputy Sheriff on June 10, 2014, and the affidavit of service was filed with BODA on July 14, 2014.

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

- (1) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) (“TRDP”);
- (2) Respondent, Armando Roberto Villalobos, having been convicted of Participating in Conduct and Affairs of a Criminal Enterprise, the Activities which Affected Interstate and Foreign Commerce, through a Pattern of Racketeering Activity – Racketeer Influenced and Corrupt Organization (RICO), Conspiracy to Participate in Conduct and Affairs of a Criminal Enterprise, the Activities which Affected Interstate and Foreign Commerce, through a Pattern of Racketeering Activity, Extortion (Under color of Official Right) and Aiding and Abetting, Extortion (Under color of Official Right) and Aiding and Abetting, and Extortion (Under color of Official Right) and Aiding and Abetting, has been convicted of Intentional Crimes as defined by TRDP 1.06(T).
- (3) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(Z).
- (4) Having been found guilty and convicted of Intentional and Serious Crimes and having appealed such conviction, Respondent, Armando Roberto Villalobos, should have his license to practice law in Texas suspended during the appeal of his criminal conviction. TRDP 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

It is, accordingly, ORDERED, ADJUDGED, and DECREED that Respondent, Armando Roberto Villalobos, State Bar Card No. 00788584, is hereby SUSPENDED from the practice of law in the State of Texas effective immediately as of the date of this order and continuing hereafter until further order of this Board.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Armando Roberto Villalobos, during said suspension is hereby 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 order, 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, Armando Roberto Villalobos, shall notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Armando Roberto Villalobos, 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, Armando Roberto Villalobos, shall immediately notify each of his current clients and opposing counsel, 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 of this Order. Respondent is further ORDERED to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol

Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating either (a) that all current clients and opposing counsel 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 or (b) that Respondent has no current clients, files, or papers, and that any unearned fees paid in advance or other monies or properties belonging to clients have previously been returned to the appropriate client. If Respondent is 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 all notification letters 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, Armando Roberto Villalobos, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary, 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 this Order is interlocutory and that the Board retains jurisdiction to enter a final judgment when the appeal of the criminal conviction is final. *In the Matter of Mercier*, 242 SW 3d 46 (Tex. 2007).

It is further ORDERED that Respondent shall promptly notify the Board and the State Bar of Texas Chief Disciplinary Counsel when the appeal of the criminal conviction is final.

It is further ORDERED that the Chief Disciplinary Counsel of the State Bar of Texas shall monitor the status of the appeal of the criminal conviction on at least a quarterly basis and promptly file an appropriate motion for entry of final judgment with the Board when the appeal of the criminal conviction is final.

Signed this 30th day of July 2014.



CHAIR PRESIDING