An aerial night photograph of a city, likely Austin, Texas, featuring a central park with a fountain and numerous trees decorated with warm white string lights. The surrounding urban area is illuminated by streetlights and building lights, with a city skyline visible in the distance under a dark sky.

THE BOARD *of* DISCIPLINARY APPEALS
APPOINTED BY THE SUPREME COURT *of* TEXAS
REPORT 2025

THE BOARD OF DISCIPLINARY APPEALS

APPOINTED BY THE SUPREME COURT OF TEXAS

CHAIRS

Kelli Hinson**, *Dallas*, through 8/31/2024

W.C. Kirkendall, *Seguin*, beginning 9/1/2024

VICE CHAIRS

Michael C. Gross**, *San Antonio*, through 8/31/2024

Jason Boatright, *Dallas*, beginning 9/1/2024

MEMBERS

Fernando M. Bustos***, *Lubbock*

Jennifer Caughey*, *Houston*

Arthur C. D'Andrea, *Austin*

Scott A. Fredricks, *Fort Worth*

Melissa Goodwin, *Austin*

Andrew D. Graham, *Dallas*

Woodrow J. Halstead, III***, *San Antonio*

Robert Henneke***, *Port Aransas*

David Iglesias, *Tyler*

Courtney Schmitz, *McKinney*

Nancy J. Stone**, *Amarillo*

*Board term ended 12/31/2024

**Board term ended 8/31/2024

***Appointed to serve term beginning 9/1/2024

SUPREME COURT OF TEXAS LIAISONS

The Honorable Jimmy Blacklock

The Honorable James P. Sullivan

STAFF

Jenny Hodgkins, *Executive Director/General Counsel*

Matthew Greer, *Deputy Director/Counsel*

Jackie L. Truitt, *Executive Assistant*

P.O. Box 12426

Austin, TX 78711

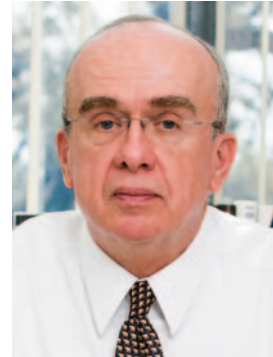
(512) 427-1578

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www.txboda.org

FROM THE CHAIR

On behalf of the Board of Disciplinary Appeals, I am pleased to submit the Annual Report for Fiscal Year June 1, 2024, through May 31, 2025, to the Supreme Court of Texas and to the State Bar Board of Directors. I could not be prouder of the work the Board is doing. The Board members and staff have devoted countless hours toward our mission of maintaining the integrity of the legal profession, and we have resolved the matters before us with dedication, fairness, and integrity.



As shown in this report, the reimplemention of respondent classification appeals increased BODA's workload on classification appeals by more than 40 percent. Despite the increased caseload and with only eleven Board members for a significant portion of this last year, the Board devoted additional time and effort to ensure that cases on the classification docket were decided efficiently.

During the last fiscal year, the Board adjudicated well over a thousand matters, including:

- Disposed of 1,716 matters, a 20% increase over last fiscal year
- Decided 35 disciplinary cases resulting in final judgment
- Held four in-person en banc meetings
- Conducted en banc hearings in which the Board sat as a trial court and heard evidence from witnesses, issuing judgments in 18 reciprocal discipline, 8 compulsory discipline, and 1 probation revocation cases
- Decided 6 evidentiary appeals, sitting as an appellate court, and issuing judgments
- Held 45 telephone panel conferences to render classification appeal decisions in three-member panels
- Decided 1,681 classification appeals, a 21% increase over last fiscal year
- Reversed the classification of some grievances, returning 64 grievances for investigation and just-cause determinations and dismissing 161 grievances
- Kept the docket current

The members of the Board are committed to being an integral part of our professional disciplinary process and appreciate the Supreme Court appointing us to serve. We hope our dedication and experience continue to have lasting, positive benefits for the Bar, the legal profession, and the public.

A handwritten signature in black ink, appearing to read 'W.C. Kirkendall'.

W.C. Kirkendall
Chair of the Board of Disciplinary Appeals, 2024–2025

THE BASICS

The Board of Disciplinary Appeals is a tribunal of twelve attorneys appointed by the Supreme Court of Texas to hear certain attorney discipline cases and to promote consistency in interpretation and application of the rules governing the practice of law. Each Board member is appointed to serve a three-year term and is eligible for reappointment to a second three-year term. Members represent diverse geographic and law practice areas, ensuring that the Board draws on a broad range of experience and expertise in deciding cases.

Beginning September 1, 2021, the Honorable Jimmy Blacklock served as the Supreme Court of Texas liaison to the Board. In January 2025, Governor Greg Abbott appointed Justice Blacklock to serve as Chief Justice of the Supreme Court. The Board thanks Chief Justice Blacklock for his years of support for BODA and the important work BODA does.



*Chief Justice Jimmy Blacklock
BODA Liaison 2021-2025*

Since January 7, 2025, the Honorable James P. Sullivan has served as the Supreme Court of Texas liaison to the Board. As oversight liaison to the Commission for Lawyer Discipline, the Professional Ethics Committee, the Unauthorized Practice of Law Committee, and the Committee on Disciplinary Rules and Referenda, Justice Sullivan has a thorough understanding of the disciplinary system and the types of cases the Board adjudicates. The Board and BODA staff are grateful to Justice Sullivan for supporting BODA and the important work it does to maintain the highest standard of legal professionalism in Texas.



*Justice James P. Sullivan
BODA Liaison 2025-present*

The Board operates under the State Bar Act, the Texas Rules of Disciplinary Procedure (TRDP), the Texas Disciplinary Rules of Professional Conduct (TDRPC), the Board of Disciplinary Appeals Internal Procedural Rules (IPR), and case law. The Board has both appellate and original jurisdiction. In the last fiscal year, the Board disposed of 1,716 matters, consistently maintaining a current docket. The Board meets en banc quarterly and confers weekly in three-member panels by remote conference.

The Board is supported by three full-time staff members: an executive director and general counsel, a deputy director and counsel, and an executive assistant. Together, the staff manage BODA's operations and budget, handle the BODA docket and records, advise the Board on legal issues, coordinate hearings and conferences, communicate with litigants and the public, maintain the BODA website and YouTube channel, produce the annual report, and work with related groups in the attorney disciplinary system in Texas and in other states.

BODA maintains a website at txboda.org. In addition to all published opinions, the website provides information about Board members, jurisdiction, operations, and resources to assist litigants. Copies of the BODA annual report beginning in 2005 are available on the website. The current docket is posted, and all recent and archived decisions since 2002 are searchable. Videos of en banc hearings and oral arguments are available on the BODA website for most public cases and are posted on BODA's YouTube channel. Current versions of the Texas Disciplinary Rules of Professional Conduct, Texas Rules of Disciplinary Procedure, and BODA Internal Procedural Rules can be accessed from the BODA website.



Back from left to right: Woodrow J. Halstead, III, Fernando M. Bustos, Melissa Goodwin, Scott A. Fredricks, Robert Henneke, Courtney Schmitz, Arthur C. D'Andrea. Front from left to right: David Iglesias, W.C. Kirkendall, Jason Boatright. Not pictured: Andrew D. Graham

THE BOARD OF DISCIPLINARY APPEALS

APPOINTED BY THE SUPREME COURT OF TEXAS

MEMBERSHIP

BODA began with nine attorney members in 1992 and was expanded in 1994 to twelve attorney members. During the term from June 2024 through May 2025, BODA members represented geographic locations throughout Texas. Practice concentrations and expertise include civil trial, administrative, civil appellate, business and commercial litigation, criminal prosecution and defense, criminal appellate, family law, Constitutional and First Amendment, public interest, and legal ethics and malpractice. Members' firms include the full range of size from solo practitioners to international firms. In addition to members in private practice, BODA members include a former District Attorney, former County Attorney, former District Court judge, former Courts of Appeals justices, and a former Public Utility Commission chair/commissioner.

During the June 2024 through May 2025 term, three new Board members were appointed. Those appointments filled vacancies created when three Board members' terms ended. In addition, one Board member resigned upon her election to the First Court of Appeals. That vacancy was not filled during the fiscal year, leaving the Board short a member for much of the year. BODA thanks Kelli Hinson (Chair, 2021-2024), Michael Gross (Vice Chair, 2021-2024), Nancy Stone, and Jennifer Caughey for their years of service and dedication.

Service on BODA requires a substantial time commitment from each member. Board members spend several hours each month reviewing classification appeals and participating in remote conferences. In addition, members read case files and records as well as conduct research to prepare for quarterly en banc hearings. BODA's consistent record of timely case disposition would not be possible without the dedication of its members, who serve without compensation.

MEMBERS 2024–2025



Jason Boatright, Vice Chair, is a lawyer in Dallas. Previously, he was a justice on the 5th Court of Appeals and Chairman of the Attorney General's Opinions Division. He is from Austin and went to law school at Texas. He was appointed to the Board in 2021 and reappointed in 2024.



Fernando Bustos is President of the Bustos Law Firm, P.C. in Lubbock. He received a Bachelor of Arts degree from Brigham Young University in International Relations and a J.D. from Texas Tech University School of Law. Mr. Bustos began his legal career as a briefing attorney for the Honorable Sam R. Cummings of the U.S. District Court, Northern District of Texas. He has served as Chairman for the Federal Court Advisory Committee for the U.S. District Court, Northern District of Texas, and as Chairman of the United States Magistrate Judge Selection Panel for Magistrate Judge Gordon Bryant. For 13 years, he served as an adjunct professor at the Texas Tech University School of Law, teaching civil rights law and client counseling. His practice focuses on commercial, employment, and constitutional litigation. Mr. Bustos was appointed to the Board in 2024.



Jennifer Caughey was Chair of the Appellate Practice and a partner at Jackson Walker LLP during the time she served on the Board. In that role, she handled complex appeals on wide-ranging subjects. At the state level, she successfully represented clients in major matters across Texas, including at the Texas Supreme Court, in various Texas courts of appeals, and in trial courts. In federal court, she successfully represented clients in U.S. Court of Appeals for the First, Fifth, Sixth, Seventh, Ninth, and Tenth Circuits, as well as matters in federal district courts and at the U.S. Supreme Court. Previously, she served as a Justice on the Texas First Court of Appeals, where she handled a broad docket of civil, criminal, family, and probate appeals. She was re-elected to the First Court of Appeals in the November 2024 election. Ms. Caughey obtained her undergraduate degree from Princeton University and her law degree from Harvard Law School. She then clerked on the U.S. Court of Appeals for the Tenth Circuit. She is an appointee to the Texas Judicial Council, the policy-making body for the State judiciary. Ms. Caughey was appointed to the Board in 2022 and resigned at the end of 2024 upon her election to the First Court of Appeals.



Arthur C. D'Andrea is a litigator in Austin. Previously, he was a commissioner and chair of the Public Utility Commission of Texas, assistant general counsel for the Office of the Governor, assistant solicitor general in the Office of the Attorney General, and an associate in the Supreme Court and Appellate Litigation section of Weil Gotshal & Manges LLP. After law school, he clerked for Judge Garwood and Judge Higginbotham on the United States Court of Appeals for the Fifth Circuit. Mr. D'Andrea is a graduate of the University of Texas at Austin, with a B.S. in Chemical Engineering and Molecular Biology, and the University of Texas School of Law. Mr. D'Andrea was appointed to the Board in 2022 and was reappointed in 2025.



Scott Fredricks is Chair of the Litigation Section and a partner at Cantey Hanger LLP, in Fort Worth. He has represented clients in complex commercial cases including antitrust, copyright, patent, securities, and trademark issues in state and federal court. He also helps civic and religious institutions conduct independent investigations, including investigations of child sexual abuse. He previously served as a member of the Professional Ethics Committee. He earned a bachelor's degree in Business Administration from Biola University, a Master of Theological Studies in Social Ethics from Emory University, and his law degree from The University of Texas School of Law. Mr. Fredricks was appointed to the Board in 2024.

MEMBERS 2024–2025



Melissa Goodwin is a Senior Justice, assigned to serve the 3rd Administrative Judicial Region of the State of Texas. Prior to her retirement and appointment as Senior Justice, Ms. Goodwin served two full terms as Justice for the Texas Third Court of Appeals. She also served as District Court Judge for the 427th Judicial District Court of Travis County, as Justice of the Peace, Precinct 3 of Travis County, Texas, and as an attorney for the Texas Court of Criminal Appeals. She has also served as Commissioner for the Texas Commission on Law Enforcement Officer Standards and Education, and has been appointed to the Texas Judicial Counsel, the Judicial Ethics Committee, and the Professional Ethics Committee for the State Bar of Texas. She is a member of the State Bar of Texas Standing Committee on the Texas Pattern Jury Charges — Criminal, and has served on the Rules Advisory Committee for the Texas Court of Criminal Appeals. Ms. Goodwin received her law degree from St. Mary's School of Law and a B.A. from the University of Texas. Ms. Goodwin was appointed to the Board in 2023.



Andrew D. Graham of Dallas serves as senior counsel and vice president for academic affairs and strategic affairs at the Alliance Defending Freedom. He is also a senior fellow at the Religious Freedom Institute in Washington, DC; an elected member and trustee of The Philadelphia Society; an elected member of The Mont Pelerin Society; a member of The Federalist Society, where he serves on the executive committee for the Professional Responsibility & Legal Education Practice Group; a member of the board of governors of the John Jay Institute; and a member of the advisory council for the Dallas Forum on Law, Politics, and Culture. Previously, he was a litigation partner at Jackson Walker LLP and was named a “Super Lawyers—Rising Star” multiple times. He earned his bachelor's degree *summa cum laude* at Southern Methodist University (SMU), where he was inducted into Phi Beta Kappa and the Hyer Society. He then earned master's degrees at Oxford University (Oriol College) and the University of Chicago before returning home to Texas to earn his law degree at the University of Texas School of Law. Mr. Graham was appointed to the Board in 2022 and reappointed in 2025.



Michael C. Gross, former Vice Chair, is a partner in Gross & Esparza, P.L.L.C. in San Antonio. He graduated from Trinity University in 1984 and received his J.D. from St. Mary's University in 1987. He served as a judge advocate in the United States Marine Corps from 1988 to 1992. He is board certified in criminal trial advocacy by the National Board of Trial Advocacy and is board certified in criminal law and criminal appellate law by the Texas Board of Legal Specialization. He was named Defender of the Year by the San Antonio Criminal Defense Lawyers Association in 2008 and again in 2009. He served as president of the San Antonio Criminal Defense Lawyers Association in 2011. He currently serves as an officer with the Texas Criminal Defense Lawyers Association. Mr. Gross was appointed to the Board in 2018 and reappointed in 2021. His term ended August 31, 2024.



Woodrow Halstead, III, is an Associate Judge for Bexar County, Texas. He is board certified in criminal law. He received his B.A. from Texas A&M University and J.D. degree from St. Mary's University School of Law. He began his legal career over two decades ago as a prosecutor for Bexar County and concluded his prosecution career as the First Assistant for the Bexar County D.A.'s Office. He then became a partner in the firm of Daniel & Halstead, where he practiced criminal defense in state and federal court until being appointed to the bench. In addition to his civilian legal practice, Mr. Halstead served as a Judge Advocate first in the United States Army Reserve and then in the Air Force Reserve until retiring in 2025. He was appointed to the Board in 2024.



Robert Henneke is the Executive Director and General Counsel for the Texas Public Policy Foundation. Previously, he was elected as the Kerr County Attorney. Mr. Henneke is a graduate of Georgetown University and the University of Texas School of Law. Mr. Henneke was appointed to the Board in 2024.

MEMBERS 2024–2025



Kelli M. Hinson, former Chair, is a partner at the Dallas law firm of Carrington Coleman Sloman & Blumenthal, LLP, and serves as the firm's General Counsel. She practices in the areas of commercial litigation and professional liability, representing law firms, hospitals, companies, and the professionals who run them. She received a B.B.A., *summa cum laude*, from McMurry University and a J.D., *magna cum laude*, from Southern Methodist University Dedman School of Law, where she was a member of the SMU Law Review and Order of the Coif. She was a member of the District 6 Grievance Committee of the State Bar of Texas from 2017 to 2018 and has served as chair of the Dallas Bar Association Legal Ethics Committee and the Dallas Bar Association Professionalism Committee. Ms. Hinson was appointed to the Board in 2018 and reappointed in 2021. Her term ended August 31, 2024.



David Iglesias is the principal attorney at Iglesias Law Firm in Tyler, Texas. He is a native East Texan who graduated from Austin College in Sherman, Texas, and the Texas Tech University School of Law. He began his legal career as a law clerk to the Honorable Sam R. Cummings of the United States District Court for the Northern District of Texas. Since entering private practice, Mr. Iglesias has devoted much of his career to defending municipalities and public servants against civil actions. He has tried a number of cases in federal and state courts, and he has represented clients in the U.S. Court of Appeals for the Fifth Circuit and the U.S. Supreme Court. He has argued before panels of the Fifth Circuit on multiple occasions and has also argued before the Court sitting en banc. Mr. Iglesias also serves as a Commissioner of the Texas State Library and Archives, and on the boards of trustees of UT Health Tyler and the Tyler ISD Foundation. Mr. Iglesias was appointed to the Board in 2021 and reappointed in 2024.



W.C. Kirkendall, Chair, is an attorney and mediator in Seguin, Texas. From 2005 to 2017, he served as a District Court Judge presiding over the 2nd 25th Judicial District Court. He was recognized by the Texas Center for the Judiciary in 2012 with the Exemplary Judicial Faculty Award and in 2015 with the Chair's Award of Excellence. Prior to his judicial service, he served as the District Attorney for the 25th Judicial District from 1984 to 2004 and was recognized as the Prosecutor of the Year by the State Bar of Texas in 1996 and received the Political Courage Award, John Ben Sheppard Public Leadership Forum in 1993. He also maintained a private law practice where he practiced general litigation, including family law, oil & gas law, and real estate law. He graduated from the University of Texas School of Law in 1974. Mr. Kirkendall was appointed to the Board in 2021 and reappointed in 2024.



Courtney Schmitz of McKinney is a partner at Schmitz, Loyd & Paul, PLLC. She is double board certified in Family Law and Child Welfare by the Texas Board of Legal Specialization. She graduated from Texas Wesleyan School of Law, which is now Texas A&M School of Law, in 2010 and received her B.A. from Southern Methodist University in 2007. Ms. Schmitz has been recognized as a Rising Star by Super Lawyers since 2020. She is a fellow of the Collin County Bench Bar Foundation and served as the Co-Chair for the Bench Bar Conference in 2022. Ms. Schmitz was appointed in 2022 and reappointed in 2023.



Nancy J. Stone practices complex commercial law in Amarillo. She received a B.S. with honors from the University of Texas, a M.S. degree from the University of Houston, and a J.D. from South Texas College of Law, where she was a member of Phi Delta Phi and the South Texas Law Journal, 1982–1983. She is a member of the Civil Justice Reform Act Advisory Committee. She is a member of the Amarillo and American Bar Associations, Texas Trial Lawyers Association, and the Association of Trial Lawyers of America. Ms. Stone was appointed to the Board in 2018 and reappointed in 2021. Her term ended August 31, 2024.

BODA STAFF

The BODA staff has extensive experience supporting the Board, appearing before the Board, reviewing the Board's decisions on appeal, working within the attorney disciplinary system, working within the judicial system, and advising judges deciding contested cases.

Jenny Hodgkins joined BODA as Executive Director and General Counsel in April 2020. With over twenty years in public and private law practice, Ms. Hodgkins brings a wealth of specialized legal and administrative experience to BODA. She served the Supreme Court of Texas for over fifteen years as Staff Attorney to then Justice Paul W. Green, where she advised the Court and managed a team that helped write opinions on cutting-edge legal issues. Before that, she served as Staff Attorney for Original Proceedings, handling mandamus and other emergency matters. In her time at the Supreme Court, she worked with twenty-two justices, supervised the drafting of over 185 published opinions, and managed countless appeals—including BODA appeals. Ms. Hodgkins practiced administrative and environmental law in private practice for several years before entering public service. Ms. Hodgkins graduated summa cum laude from Texas Tech School of Law, where she was editor-in-chief of the Texas Tech Law Review and Order of the Coif.

Matt Greer has served as BODA's Deputy Director and Counsel since June 2020. Mr. Greer brings to BODA significant civil and appellate litigation experience, with extensive experience with the attorney disciplinary system. He is board certified in civil appellate law by the Texas Board of Legal Specialization and previously served as appellate counsel in over 70 disciplinary appeals before the Board, the courts of appeals, and the Supreme Court. His expertise with the Texas Disciplinary Rules of Professional Conduct and the Texas Rules of Disciplinary Procedure, along with his knowledge of appellate practice and procedure, are valuable assets to the Board.

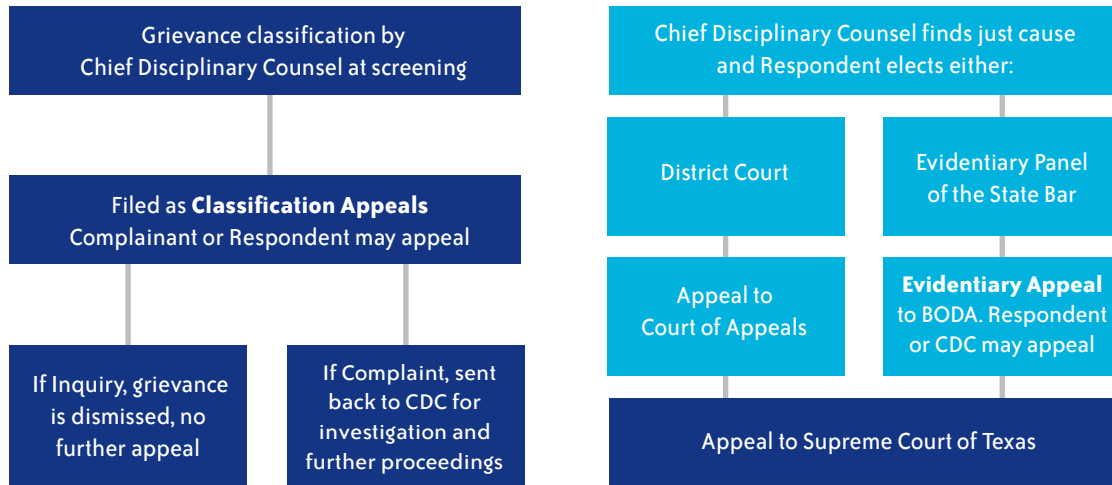
Having worked for BODA since 2000, Executive Assistant Jackie Truitt provides the Board with continuity and a wealth of knowledge about BODA processes and procedures. Ms. Truitt manages the BODA office and is the first point of contact for litigants and the public. She assists with case intake and management, docket control, record management, coordination of classification panels and en banc hearings, and much more.



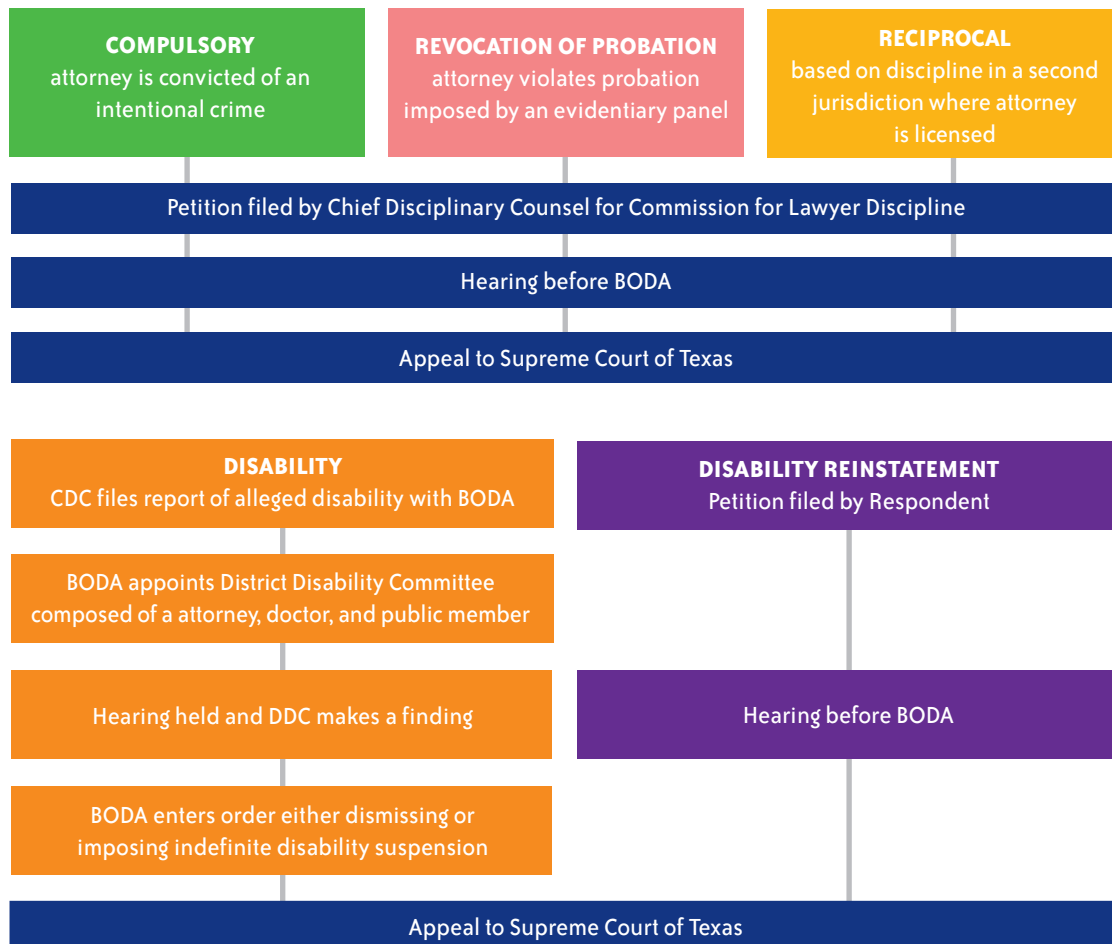
BODA Staff: Matthew Greer, Jenny Hodgkins, Jackie Truitt

APPELLATE JURISDICTION

GRIEVANCES FILED WITH STATE BAR OF TEXAS AFTER SEPTEMBER 1, 2023



ORIGINAL JURISDICTION



JURISDICTION

The Board has jurisdiction to decide six types of disciplinary matters: compulsory discipline cases, reciprocal discipline cases, revocation-of-probation cases, disability and reinstatement cases, appeals from evidentiary judgments, and appeals from classification decisions. TEX. GOV'T CODE §§ 81.072–.0751; TRDP Part VII–IX, XII. “BODA shall have and exercise all the powers of either a trial court or an appellate court, as the case may be, in hearing and determining disciplinary proceedings.” *In re State Bar of Tex.*, 113 S.W.3d 730, 734 (Tex. 2003) (citing BODA IPR § 1.02). With the exception of appeals from classification screening decisions, which are final, the Board’s decisions are appealable directly to the Supreme Court of Texas. TEX. GOV'T CODE § 81.0751(a)(2); TRDP 7.11. The Board may render judgment in any disciplinary matter with or without written opinion. BODA IPR § 1.11.

ORIGINAL JURISDICTION

COMPULSORY DISCIPLINE (TRDP PART VIII; BODA IPR PART VI)

The Board has exclusive original jurisdiction to hear petitions for compulsory discipline filed by the State Bar of Texas Chief Disciplinary Counsel (CDC) on behalf of the Commission for Lawyer Discipline when an attorney has been convicted of, or placed on deferred adjudication for, an “Intentional Crime” as defined in TRDP § 1.06(V)—that is, any “Serious Crime” that requires proof of knowledge or intent as an essential element or any crime involving misapplication of money or other property held as a fiduciary. “Serious Crime,” as defined in TRDP § 1.06(GG), includes barratry; any felony involving moral turpitude; any misdemeanor involving theft, embezzlement, or fraudulent or reckless misappropriation of money or other property; or any attempt, conspiracy, or solicitation of another to commit any of these. Compulsory discipline results in either suspension of the attorney’s license for the remaining term of the criminal sentence or disbarment.

If an attorney convicted of an Intentional Crime has been sentenced to prison, the Board must disbar the attorney. If the attorney’s criminal sentence is fully probated or the attorney has been placed on deferred adjudication, the Board has discretion to either disbar the attorney or suspend for the remaining term of the criminal probation. If an attorney convicted of an Intentional Crime has appealed the conviction and the appeal is pending at the time the CDC files the compulsory discipline action, the Board will place the attorney on interlocutory suspension pending the outcome of the appeal; the Board then retains jurisdiction to enter final judgment when the appeal of the conviction becomes final.

RECIPROCAL DISCIPLINE (TRDP PART IX; BODA IPR PART VII)

The Board has exclusive original jurisdiction to hear petitions for reciprocal discipline filed by the CDC on behalf of the Commission for Lawyer Discipline. Texas attorneys who are licensed in another jurisdiction, including a federal court or federal agency, are subject to identical discipline, to the extent practicable, in Texas following a disciplinary sanction in that other jurisdiction. Upon the filing of a petition for reciprocal discipline, the Board issues a show-cause order giving the respondent attorney 30 days to file an answer opposing the imposition of reciprocal discipline. The attorney may raise any of five defenses in that answer; if proven by clear and convincing evidence, the Board may issue any order that it deems necessary and appropriate.

REVOCAION OF PROBATION (TRDP PART II; BODA IPR PART V)

The Board has exclusive original jurisdiction for the full term of a probated suspension imposed by a State Bar of Texas grievance committee to hear petitions to revoke the probation if the attorney violates a term or condition of probation. If revoked, the attorney is suspended for the full term of the suspension without credit for time served on probation.

DISABILITY AND REINSTATEMENT (TRDP PART XII; BODA IPR PART VIII–IX)

The Board has exclusive original jurisdiction to suspend indefinitely an attorney who is found to be suffering from a disability: any physical, mental, or emotional condition, with or without a substantive rule violation, which results in the attorney’s inability to practice law or otherwise carry out his or her professional

responsibilities to clients, the courts, the profession, or the public. A district disability committee appointed by the Board holds a hearing to determine whether the attorney is disabled and certifies its finding to the Board. Upon receiving a finding of disability, the Board shall immediately enter an order suspending the attorney indefinitely. The Board has concurrent jurisdiction with district courts to hear petitions for reinstatement, to terminate a disability suspension.

APPELLATE JURISDICTION

APPEAL FROM AN EVIDENTIARY JUDGMENT (TRDP PART II; BODA IPR PART IV)

The Board has appellate jurisdiction to review a judgment issued by a State Bar of Texas district grievance committee evidentiary panel. Either the Commission for Lawyer Discipline or an attorney against whom discipline has been imposed may appeal the judgment from an evidentiary proceeding, challenging the dismissal of a complaint, findings of professional misconduct, or sanction imposed. Appeals to the Board from evidentiary judgments proceed similarly to civil appeals, with a notice of appeal, record, briefs, and oral argument. The Board reviews evidentiary questions under a substantial-evidence standard, reviews questions of law de novo, and reviews sanctions for abuse of discretion. Evidentiary appeals are decided en banc, and the Board may decide an evidentiary appeal with or without oral argument. The Board may affirm in whole or in part, modify the judgment and affirm as modified, reverse the judgment in whole or in part and render the judgment it determines should have been entered, or reverse the judgment and remand the matter for a new hearing.

CLASSIFICATION APPEALS (TRDP PART II; BODA IPR PART III)

The CDC screens every writing received that alleges professional misconduct by an attorney. The CDC analyzes grievances to determine whether the writing describes conduct which, if true, constitutes professional misconduct cognizable under the TDRPC. If the CDC determines that the writing does not allege misconduct or is otherwise not actionable and dismisses the grievance, the complainant can appeal that decision to BODA.

In 2024, the Board implemented new procedures for the disposition of classification appeals, designed to further consistency among Board members in deciding classification appeals. The Board typically decides classification appeals by three-member panels, which typically consider 40 classification appeals at a weekly conference. Per BODA Internal Procedural Rule 1.04, any Board member may refer a classification appeal to be decided by the full Board sitting en banc. The Board implemented a new procedure by which the entire Board receives each week's classification appeal docket and materials. Once the panel convenes and makes its determinations for that week's docket, the results are forwarded to the full Board for review. Before dispositions become final, and before notices of decisions are issued to the parties, all members of the Board have the opportunity to review the matters and refer any cases to be considered by the full Board sitting en banc.

Effective September 1, 2023, respondent lawyers can appeal the CDC's classification of a grievance as a complaint pursuant to amended Texas Government Code § 81.073(b) and amended Texas Rules of Disciplinary Procedure 2.10 and 7.08. During the 2023-2024 fiscal year, BODA developed internal procedures for docketing, processing, and deciding classification appeals filed by respondents, including creating a new notice of appeal form, revising the internal docket sheet for panels of Board members, and revising the standard decision letters.

Fiscal Year 2024-2025 represents the first full year of respondent appeals being decided by the Board. The reinstatement of respondent appeals has increased the workload for both BODA staff and the members of the Board. Since 2023, BODA has seen an average of a 42 percent increase in the total number of classification appeals filed compared to the three years prior to the reinstatement of respondent appeals. This has not only required BODA staff to make adjustments to accommodate the increase, but more importantly, required additional time and effort by the Board members—who serve on a volunteer basis—to review a larger volume of grievances each week.

The end of 2024 brought the resignation of a BODA member, who was elected to the appellate bench. Though BODA spent the remainder of the fiscal year with only 11 members, those members took on additional work to keep BODA's classification appeal docket moving and up to date. BODA thanks its members for their hard

work and dedication to the profession, and for generously giving their time and expertise to implement this mandate from the Legislature and the Supreme Court.

BODA provides a one-page form in English and Spanish that the CDC includes with the letter notifying the parties of the CDC's classification decision. To appeal the classification, the complainant or respondent need only sign the form and send it to BODA by email, regular mail, or fax within thirty days of receipt of the notice. BODA then notifies the complainant and the respondent attorney that an appeal was filed and requests a copy of the grievance file from the CDC. The CDC transmits to BODA the screened grievance and supporting documentation submitted by the complainant, and in the event of an amended grievance, the CDC also sends the original grievance. The Board considers only the information sent to the CDC before screening. If a complainant sends new information to BODA, the documents are returned to the complainant, and the complainant is informed that the Board cannot consider them.

If the attorney against whom a grievance is filed has been disbarred, has resigned, or is deceased, BODA notifies the complainant that the disciplinary system no longer has jurisdiction.

Once BODA receives the grievance file from the CDC, on average 5 days after the request, the grievance is assigned to a three-member panel for decision. The panel and BODA's staff attorneys discuss the grievance by remote conference, on average 40 days after the original grievance is received from the CDC. Panel members vote to either affirm or reverse the classification of the grievance, and the Board will take action in accordance with the majority vote. Reversal of an inquiry classification requires a finding that the grievance alleges a violation of one or more specific rule under the TDRPC, and results in the upgrade of a grievance to a complaint. Any panel member may refer a grievance to the entire Board for en banc consideration.

Fiscal Year 2024-2025 also represents the first full year of applying standing rules to grievance classifications and classification appeals. Effective September 1, 2023, in deciding appeals from the CDC's classification determinations, the Board must determine whether the complainant who filed the grievance meets the statutory standard under Texas Government Code § 81.073(b) for their grievance to be classified as a complaint. The standard, incorporated into the definition of "complaint" under amended Texas Rule of Disciplinary Procedure 1.06(G), requires that a grievance have been filed by:

- (i) a family member of a ward in a guardianship proceeding that is the subject of the grievance;
- (ii) a family member of a decedent in a probate matter that is the subject of the grievance;
- (iii) a trustee of a trust or an executor of an estate if the matter that is the subject of the grievance relates to the trust or estate;
- (iv) the judge, prosecuting attorney, defense attorney, court staff member, or juror in the legal matter that is the subject of the grievance;
- (v) a trustee in a bankruptcy that is the subject of the grievance; or
- (vi) any other person who has a cognizable individual interest in or connection to the legal matter or facts alleged in the grievance.

A grievance filed by a complainant who meets that standard is eligible to be classified as a complaint and upgraded for investigation and further proceedings. When a complainant does not meet that standard, the grievance must be classified as an inquiry and dismissed, regardless of whether it alleges professional misconduct. The Board has discussed these standards repeatedly as they have arisen in grievances, and has worked toward a consistent framework for analyzing these issues.

Once the Board has decided a classification appeal, BODA notifies the complainant, the respondent lawyer, and the CDC of the decision. If the Board affirms the dismissal as an inquiry, the notice states that the decision as to that appeal is final and not appealable. If the Board affirms the classification of a grievance as a complaint, the case is returned to the CDC for further proceedings, including a response from the respondent lawyer, an investigation, and a determination of just cause. If the Board reverses the dismissal as an inquiry, the notice includes the specific TDRPC rule alleged to have been violated, and the complaint is returned to the CDC for investigation and a determination as to just cause. If the Board reverses the classification of a grievance as a complaint, the grievance case is dismissed and the parties are notified that the decision as to that appeal is final and not appealable. After the decision notice is sent, the appeal is complete and BODA closes its file. The Board does not make public its disposition as to any classification appeal, and its deliberations are confidential.

DISPOSITIONS

JUNE 1, 2024 THROUGH MAY 31, 2025

COMPULSORY DISCIPLINE

During the last fiscal year, BODA decided the following eight petitions for compulsory discipline and motions for final judgment in compulsory cases. Additional case details are available at txboda.org.

Kenneth J. Chesebro, 04184400: On April 30, 2024, BODA entered an Order of Nonsuit and Dismissal of Case in the compulsory discipline case against San Juan, PR attorney Kenneth J. Chesebro following a notice of nonsuit filed by the Commission for Lawyer Discipline. BODA Case No. 69583.

Derek H. Davis, 05479400: On November 7, 2024, BODA entered a Judgment of Disbarment in the compulsory discipline case against McKinney attorney Derek H. Davis. On January 10, 2024, Davis pled guilty to Theft of Property >\$2,500<\$30K, a State Jail Felony, in Cause No. F-20-72039, styled *The State of Texas v. Derek Hamilton Davis*, in the 204th District Court, Dallas County, Texas. Harris was placed on deferred adjudication community supervision for two years. The Board found that this offense constitutes an Intentional Crime and Serious Crime as defined by the Texas Rules of Disciplinary Procedure. BODA Case No. 69472.

James Mayer Harris Jr., 09065800: On November 13, 2024, BODA entered a Judgment Denying Compulsory Discipline in the case against Bulverde attorney James Mayer Harris, Jr. BODA Case No. 69950.

Mason William Herring, 24071746: On November 13, 2024, BODA entered a Judgment of Disbarment in the compulsory discipline case against Houston attorney Mason William Herring. On February 7, 2024, a Judgment of Conviction by Court – Waiver of Jury Trial was entered in Cause No. 177210601010, styled *The State of Texas v. Herring, Mason William*, the 185th District Court in Harris County, wherein Herring pleaded guilty to Assault of a Pregnant Person, a third-degree felony. In addition, a Judgment of Conviction by Court – Waiver of Jury Trial was entered in Cause No. 177210601010, styled *The State of Texas v. Herring, Mason William*, wherein Herring pleaded guilty to Injury to a Child Under 15 with Bodily Injury, a third-degree felony. Herring was sentenced to ten years of community supervision and was ordered to serve 180 days in the county jail as a condition of community supervision. The Board found that these offenses constitute Intentional Crimes and Serious Crimes as defined by the Texas Rules of Disciplinary Procedure. On June 27, 2025, the Supreme Court of Texas affirmed the Judgment of Disbarment in Case No. 24-0994. BODA Case No. 69030.

William Topp Maxwell, 24028775: On February 5, 2025, BODA entered a Judgment of Disbarment in the compulsory discipline case against Houston attorney William Topp Maxwell. On August 11, 2015, an Amended Judgment (as to forfeiture) was entered in Case No. 1:11-CR-00740 (03), styled *United States of America v. William Maxwell*, in the United States District Court for the District of New Jersey, wherein Maxwell was found guilty of Racketeering Conspiracy, Conspiracy to Commit Securities Fraud, Conspiracy to Commit Wire Fraud, Wire Fraud, Conspiracy to Commit Money Laundering, Conspiracy to Obstruct Justice, and Conspiracy to Sell or Transfer Firearms and Ammunition to a Prohibited Person, and was sentenced to prison for 240 months. The United States Court of Appeals for the Third Circuit affirmed the judgment on July 17, 2023, and the United States Supreme Court denied Maxwell's petition for writ of certiorari on October 7, 2024. The conviction is now final. The Board determined that these offenses constitute Intentional Crimes and Serious Crimes as defined by the Texas Rules of Disciplinary Procedure. On October 24, 2025, the Supreme Court of Texas affirmed the Judgment of Disbarment in Case No. 25-0191. BODA Case No. 56591.

Richard J. Plezia, 16072800: On May 1, 2025, BODA entered a Judgment of Disbarment in the compulsory discipline case against Houston attorney Richard J. Plezia. On October 4, 2023, a Judgment was entered

in Cause No. 4:19-cr-00450-005, styled *United States of America v. Richard Plezia*, in the United States District Court for the Southern District of Texas, Houston Division, wherein Plezia was found guilty of Conspiracy to Defraud the United States, False Statements, and Falsification of Records. Plezia was sentenced to six months and one day in the Bureau of Prisons. On August 22, 2024, the United States Court of Appeals for the Fifth Circuit issued an Opinion and Judgment in the appeal styled *United States of America, Plaintiff-Appellee v. Richard Plezia, Defendant-Appellant*, Case No. 23-20483, vacating the judgment of conviction as to one count, but affirming as to all others. The conviction is now final. The Board determined that these offenses constitute Intentional Crimes and Serious Crimes as defined by the Texas Rules of Disciplinary Procedure. BODA Case No. 68989.

Sidney Powell, 16209700: On February 21, 2025, the Board of Disciplinary Appeals entered a Judgment Denying Compulsory Discipline in the case against Dallas attorney Sidney Powell. BODA Case No. 69537.

Gregory Rincon, 24054154: On September 10, 2024, BODA entered an Order of Nonsuit and Dismissal of Case in the compulsory discipline case against Pearland attorney Gregory Rincon. The nonsuit came after the Supreme Court of Texas accepted Rincon's resignation from the practice of law in lieu of discipline. BODA Case No. 68988.

RECIPROCAL DISCIPLINE

During the last fiscal year, BODA disposed of the following eighteen petitions for reciprocal discipline. Additional case details are available at txboda.org.

ARIZONA:

Davis Perry Bauer, 24129967: On September 30, 2024, BODA entered an Agreed Judgment of Probated Suspension in the reciprocal discipline case against Phoenix, AZ attorney Davis Perry Bauer. On June 20, 2024, an Order of Admonition with Probation, (CLE), and Costs was entered by the Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona in a matter styled *In the Matter of a Member of the State Bar of Arizona, Davis Perry Bauer*, Bar No. 035529, Case No. 23-2293, in which Bauer was admonished and placed on probation for one year. Bauer was found in violation of Arizona Rules of Professional Conduct ER 1.3 (diligence), ER 4.4(a) (use of means that have no substantial purpose other than to embarrass, delay, or burden) and ER 8.4(d) (conduct prejudicial to the administration of justice), and Arizona Supreme Court Rule 41(b)(7) (unprofessional conduct). He was suspended in Texas for one year, beginning September 30, 2024, with the suspension fully probated. The suspension expired on September 29, 2025. BODA Case No. 70019.

Mark Doss Wesbrooks, 21191850: On March 20, 2025, BODA entered an Agreed Judgment of Public Reprimand in the reciprocal discipline case against Phoenix, AZ attorney Mark Doss Wesbrooks. On January 5, 2024, a Decision and Order Imposing Sanctions was issued by the Presiding Disciplinary Judge in a matter styled *In the Matter of a Member of the State Bar of Arizona, Mark Doss Wesbrooks*, Bar No. 018690, Case No. PDJ 2023-9040. Wesbrooks was reprimanded for violations of Arizona Rules of Professional Conduct ER 1.3 (communication), 3.2 (failure to expedite litigation), and 3.4(c) (failure to comply with court order). BODA Case No. 69414.

COLORADO:

Derrick Duane Cornejo, 24048049: On February 5, 2025, BODA entered a Judgment of Disbarment in the reciprocal discipline case against Highlands Ranch, CO attorney Derrick Duane Cornejo. On August 2, 2023, the Supreme Court, State of Colorado, through the Office of the Presiding Disciplinary Judge, entered an Order and Notice of Disbarment in the matter styled *The People of the State of Colorado v. Derrick Duane Cornejo*, #29438, Case Number 21PDJ085 (consolidated with 22PDJ026 and 22PDJ057), in which Cornejo was disbarred in Colorado. Cornejo was found in violation of Colorado Rules of Professional Conduct 1.3 (diligence and promptness), 1.4(a)(3) (communication), 8.4(b) (criminal act that reflects adversely on the

lawyer's honesty, trustworthiness, or fitness as a lawyer), 1.15A(a) (failure to maintain client funds separate from lawyer's funds), 3.4(c) (violating court order or rule), 8.4(c) (dishonesty, fraud, deceit, or misrepresentation), and 8.4(d) (conduct that is prejudicial to the administration of justice). BODA Case No. 69445.

Tara Eden Latus, 24062825: On January 8, 2025, BODA entered a Judgment of Suspension in the reciprocal discipline case against Colorado Springs, CO attorney Tara Eden Latus. On April 3, 2024, an Order Approving Stipulation to Discipline Under C.R.C.P. 242.19(c) was entered by the Presiding Disciplinary Judge for the Supreme Court, State of Colorado in the matter styled *The People of the State of Colorado v. Tara Eden Latus*, #51871, Case Number 23PDJ058, in which Latus was suspended from the practice of law for three years. Latus agreed she violated Colorado Rules of Professional Conduct 1.15A(a) (failure to maintain client funds separate from personal funds), 1.15B(a)(1) (failure to maintain trust account), 1.16(d) (failure to return unearned fees), 3.4(c) (disobeying a court order), 5.5(a)(1) (unauthorized practice of law), and 8.4(c) (dishonesty, fraud, deceit or misrepresentation). She is suspended for three years, beginning January 8, 2025, and extending through January 7, 2028. BODA Case No. 69924.

GEORGIA:

Sherri Len Washington, 24049862: On May 1, 2025, BODA entered a Judgment of Disbarment in the reciprocal discipline case against Conyers, GA attorney Sherri Len Washington. On June 22, 2022, the Supreme Court of the State of Georgia entered an Order Per Curiam in the matter styled *In the Matter of Sherri Len Washington*, S22Y0803, disbaring Washington. She was found in violation of Georgia Rules of Professional Conduct 1.1 (incompetence), 1.2 (failure to abide by client decisions), 1.3 (diligence), 1.4 (communication), 1.5 (unreasonable fees), 1.16 (failure to return unearned fees), 3.2 (failure to expedite litigation), 8.4(a)(4) (dishonesty, fraud, deceit, or misrepresentation), and 9.3 (failure to respond to grievance). BODA Case No. 70708.

ILLINOIS:

On May 1, 2025, BODA entered a Judgment of Private Reprimand in the reciprocal discipline case against a Texas Attorney. The Supreme Court of Illinois issued an Order and Mandate in which the court accepted the parties' agreement that the attorney violated Illinois Rules of Professional Conduct Rule 8.1(b) (failure to disclose fact necessary in Bar admission) and 8.4(b) (violation of disciplinary rules) and imposed a censure.

LOUISIANA:

Carl Henry Franklin, 07373850: On July 12, 2024, BODA entered an Agreed Judgment of Probated Suspension in the reciprocal discipline case against Shreveport, LA attorney Carl Henry Franklin. On October 17, 2023, an Order Per Curiam was entered by the Supreme Court of Louisiana in the matter styled *In Re: Carl Henry Franklin*, No. 2023-B-01209, in which Franklin was suspended for six months with the suspension deferred, subject to a one-year probation. Franklin agreed he violated Louisiana Rules of Professional Conduct 1.15 (a, b, d, and f) (safekeeping property). He was suspended in Texas for six months with the suspension fully deferred, subject to his successful completion of a period of probated suspension for one year, beginning July 12, 2024. The suspension expired on July 11, 2025. BODA Case No. 69470.

Jimmy S. Hall, 24057583: On June 24, 2024, BODA entered an Agreed Judgment of Probated Suspension in the reciprocal discipline case against Metairie, LA attorney Jimmy S. Hall. On December 5, 2023, an Order Per Curiam was entered by the Supreme Court of Louisiana in the matter styled *In Re: Jim S. Hall*, No. 2023-B-0935, in which Hall was suspended for four months with the suspension fully deferred. Hall was found in violation of Louisiana Rules of Professional Conduct 3.3(a)(1 and 3) (candor toward the tribunal), 8.4 (c) (conduct involving dishonesty, fraud, deceit, or misrepresentation), 8.4(d) (conduct prejudicial to the administration of justice), 7.2(a)(2) and (c)(1)(I) (communications concerning the lawyer's services), and 7.7(c) (evaluation of advertisements). He was suspended in Texas for four months with the suspension fully probated, beginning June 24, 2024. The suspension expired on October 23, 2024. BODA Case No. 69471.

Sophia Juliana Johnson, 24103214: On September 10, 2024, BODA entered an Agreed Judgment of Suspension in the reciprocal discipline case against New Orleans, LA attorney Sophia Juliana Johnson. On February 6, 2024, an Order Per Curiam was entered by the Supreme Court of Louisiana styled *In re: Sophia Juliana Johnson*, No. 2023-B-1688, in which the court approved a Joint Petition for Consent Discipline and imposed a one-year suspension. Johnson agreed that she violated Louisiana Rules of Professional Conduct 3.1 (failure to bring a meritorious claim), 3.3 (false claim to a tribunal), 3.4 (falsifying evidence), 4.1 (false statement of material fact), 8.4(a) (violation of Rules of Professional Conduct), and 8.4(d) (conduct prejudicial to the administration of justice). She was suspended in Texas for one year, beginning September 10, 2024. The suspension expired on September 9, 2025. BODA Case No. 69893.

Aaron Paul Mollere, 24098122: On February 5, 2025, BODA entered a Judgment of Disbarment in the reciprocal discipline case against Reserve, LA attorney Aaron Paul Mollere. On April 9, 2024, the Supreme Court of Louisiana entered an Order Per Curiam in the matter styled *In Re: Aaron P. Mollere*, No. 2024-B-00160, in which Mollere was disbarred in Louisiana. Mollere was found in violation of Louisiana Rules of Professional Conduct 1.1(a) (competence), 1.3 (diligence), 1.4 (communication), 1.5(f)(5) (unearned or disputed fees), 1.15(a) (segregating property), 1.15(d) (property in which others have an interest), 1.16(d) (protecting client's interests upon termination), 3.2 (expediting litigation), 8.1(b) (failure to respond in disciplinary matter), 8.1(c) (failure to cooperate in disciplinary investigation), 8.4(a) (violation of Rules of Professional Conduct), 8.4(b) (criminal act), 8.4(c) (dishonest, fraud, deceit, or misrepresentation), and 8.4(d) (conduct prejudicial to administration of justice). BODA Case No. 70216.

Manfred Max Sternberg, 24125421: On July 30, 2024, BODA entered a Judgment Denying Reciprocal Discipline in the case against New Orleans, LA attorney Manfred Max Sternberg. By agreement, Sternberg was enjoined for a period of one year from seeking full admission to the Louisiana Bar or seeking to practice in Louisiana on any temporary or limited basis based on his agreement that he violated Louisiana Rule of Professional Conduct 5.05 (unauthorized practice of law). The Board found that Sternberg established clear and convincing proof of a defense to reciprocal discipline. BODA Case No. 69413.

UNITED STATES DISTRICT COURTS:

William Timothy Ladyman, 11787900: On June 18, 2024, BODA entered an Agreed Judgment of Public Reprimand in the reciprocal discipline case against Abilene attorney William Timothy Ladyman. On February 8, 2024, an Order was entered by the United States District Court for the Northern District of Texas, Abilene Division, in the matter styled *Dale Scoggins, et. al, v. Native Community Capital*, No. 1:23-CV-193-H, in which Ladyman received a public reprimand after he failed to show good cause why he failed to comply with the court's orders. BODA Case No. 69412.

Earl S. Nesbitt, 14916900: On May 12, 2025, BODA entered a Judgment Denying Reciprocal Discipline in the case against Dallas attorney Earl S. Nesbitt. The United States District Court for the Northern District of Texas, Dallas Division, entered an order reprimanding Nesbitt and other lawyers for violating Federal Rule of Civil Procedure 11(b). The Board found that Nesbitt established clear and convincing proof of a defense to reciprocal discipline. BODA Case No. 70375.

Lane M. Webster, 24089042: On May 12, 2025, BODA entered a Judgment Denying Reciprocal Discipline in the case against Dallas attorney Lane M. Webster. The United States District Court for the Northern District of Texas, Dallas Division, entered an order reprimanding Webster and other lawyers for violating Federal Rule of Civil Procedure 11(b). The Board found that Webster established clear and convincing proof of a defense to reciprocal discipline. BODA Case No. 70374.

UNITED STATES PATENT AND TRADEMARK OFFICE:

Harrison Buckland Oldham, 24077501: On May 9, 2025, BODA entered a Judgment Denying Reciprocal Discipline in the case against Dallas attorney Harrison Buckland Oldham. The Director of the United States Patent and Trademark Office issued a Final Order suspending Oldham, by agreement, from practice before the USPTO for 30 days, followed by a 12-month probation. Oldham agreed he violated various provisions of the USPTO Rules of Professional Conduct related to the use of electronic signatures on trademark applications. The Board found that Oldham established clear and convincing proof of a defense to reciprocal discipline. BODA Case No. 70709.

UTAH:

John Clifford Heath, 24059308: On January 3, 2025, BODA entered an Agreed Judgment of Probated Suspension in the reciprocal discipline case against Salt Lake City, UT attorney John Clifford Heath. On June 11, 2024, an Order of Discipline: Probation was entered by the Third Judicial District Court in and for Salt Lake County, State of Utah, in the matter styled *In the Matter of the Discipline of: John C. Heath #8975*, Civil No. 240904297, in which Heath was placed on probation for two years. Heath agreed he violated Utah Rules of Professional Conduct 8.4(d) (conduct prejudicial to the administration of justice) and 7.1 (false or misleading communication regarding the lawyer's services). He is suspended in Texas for two years with the suspension fully probated, beginning January 3, 2025, and extending through January 2, 2027. BODA Case No. 70320.

WASHINGTON, D.C.:

Mary Christine Dobbie, 24046473: On July 30, 2024, BODA entered a Judgment of Probated Suspension in the reciprocal discipline case against Washington, D.C. attorney Mary Christine Dobbie. On December 7, 2023, an Opinion Order was issued in the District of Columbia Court of Appeals in a matter styled *In Re Mary Chris Dobbie, A Member of the Bar of the District of Columbia Court of Appeals (Bar Registration No. 975939)*, No. 21-BG-0024, in which Dobbie was suspended for six months with the suspension stayed pending a one-year probation. The Court found that Dobbie violated District of Columbia Rules of Professional Conduct 3.8(e) (failure to disclose exculpatory evidence to defense), 8.4(c) (dishonesty, fraud, deceit, or misrepresentation), and 8.4(d) (interference with the administration of justice). She was suspended in Texas for one year, with the suspension fully probated, beginning July 30, 2024. The suspension expired on July 29, 2025. BODA Case No. 69469.

Marylin Jenkins Milner, 24025837: On July 30, 2024, BODA entered a Judgment of Suspension in the reciprocal discipline case against Jupiter, FL attorney Marylin Jenkins Milner. On July 27, 2023, an order was issued by the District of Columbia Court of Appeals in a matter styled *In re Marylin Jenkins*, No. 23-BG-0545, in which Jenkins was suspended for 30 days. Jenkins agreed that she violated District of Columbia Rule of Professional Conduct 8.4(c) (dishonesty, fraud, deceit, or misrepresentation). She was suspended in Texas for 30 days, beginning July 30, 2024. The suspension expired on August 29, 2024. BODA Case No. 68333.

REVOCATION OF PROBATION

During the last fiscal year, BODA disposed of the following petition for revocation of probation. Additional case details are available on BODA's website at txboda.org.

Carl Camp Gossett, 24077759: On February 5, 2025, BODA issued a Judgment Revoking Probation and Actively Suspending Respondent from the Practice of Law against Austin attorney Carl Camp Gossett. The revocation of probation followed an Agreed Judgment of Probated Suspension entered by an evidentiary panel of the District 9 Grievance Committee of the State Bar of Texas. Gossett agreed he violated Texas Disciplinary Rules of Professional Conduct 1.03(a) (communication), 8.04(a)(8) (failure to respond to grievance), and 8.04(a)(11) (practice of law while on inactive status). Gossett is suspended from the practice of law for two years, beginning February 5, 2025, and extending through February 4, 2027. BODA Case No. 70467.

EVIDENTIARY APPEALS

During the last fiscal year, the Board disposed of the following six evidentiary appeals. Additional case details are available on BODA's website at txboda.org.

Alex R. Hernandez, 24032411: On November 13, 2024, BODA entered an Order of Dismissal in an appeal from a Judgment of Active Suspension issued June 12, 2024, by an evidentiary panel of the District 11 Grievance Committee. The appeal was dismissed at Hernandez's request. BODA Case No. 69968.

Arnold Lewis Levey, 12250000: On November 13, 2024, BODA issued an Order of Dismissal, dismissing for want of prosecution the appeal filed by San Antonio attorney Arnold Lewis Levey. On September 8, 2023, a Judgment of Disbarment was issued by an evidentiary panel of the District 10 Grievance Committee of the State Bar of Texas, finding that Levey violated Texas Disciplinary Rules of Professional Conduct 1.14(a), (b), and (c) (safekeeping property), as well as 8.04(a)(3) (conduct involving dishonesty, fraud, deceit, or misrepresentation). On September 5, 2025, the Supreme Court of Texas dismissed Levey's appeal for want of prosecution in Case No. 24-1087. BODA Case No. 66468.

Curtis Lilly, 24030063: On August 14, 2024, BODA issued an Order Dismissing Appeal for Want of Jurisdiction in the appeal filed by Fort Worth attorney Curtis Lilly. On February 23, 2024, an evidentiary panel of the District 6 Grievance Committee of the State Bar of Texas issued a Judgment of Partially Probated Suspension. The evidentiary panel found that Lilly violated Texas Disciplinary Rules of Professional Conduct 3.03(a)(1) (false statement of material fact or law to a tribunal), 8.04(a)(3) (dishonesty, fraud, deceit, or misrepresentation), and 8.04(a)(8) (failure to respond to grievance). Lilly is suspended for 54 months, with a 30-month active suspension beginning February 20, 2024, and ending August 19, 2026, followed by a probated suspension ending on August 19, 2028. BODA Case No. 69240.

Rodney E. Moton, 24001432: On June 14, 2024, BODA issued a Dismissal Order, dismissing for want of prosecution the appeal filed by Houston attorney Rodney E. Moton. On September 8, 2023, a Judgment of Fully Probated Suspension was issued by an evidentiary panel of the District 4 Grievance Committee of the State Bar of Texas, finding that Moton violated Texas Disciplinary Rules of Professional Conduct 1.03(a) (communication), 1.14(b) (safekeeping property), and 1.15(d) (failure to return unearned fees). Moton was suspended from the practice of law from November 1, 2023, through April 30, 2024, with the suspension fully probated. BODA Case No. 68428.

Vy Thuan Nguyen, 24060334: On February 5, 2025, BODA issued a Judgment in the appeal filed by Dallas attorney Vy Thuan Nguyen. The Board affirmed the Judgment of Disbarment issued by an evidentiary panel of the District 4 Grievance Committee of the State Bar of Texas on May 10, 2024. The evidentiary panel found that Nguyen violated Texas Disciplinary Rules of Professional Conduct 1.01(b)(1 and 2) (neglect and diligence), 1.03(a) (communication), and 8.04(a)(8) (failure to respond to grievance). On September 5, 2025, the Supreme Court of Texas affirmed the Judgment in Case No. 25-0164. BODA Case No. 69845.

Dominique Nwajei, 24099137: On November 13, 2024, BODA issued an Order of Dismissal, dismissing for want of prosecution the appeal filed by Houston attorney Dominique Nwajei. On April 9, 2024, an evidentiary panel of the District 4 Grievance Committee of the State Bar of Texas issued a Judgment of Partially Probated Suspension. The evidentiary panel found that Nwajei violated Texas Disciplinary Rules of Professional Conduct 1.01(a) (competence), 1.01(b)(1 and 2) (neglect and diligence), 1.04(a) (illegal or unconscionable fee), 1.15(d) (failure to return unearned fee), 7.01(a) (false or misleading communication about qualifications or services), and 8.04(a)(3) (dishonesty, fraud, deceit, or misrepresentation). Nwajei was suspended for nine months, consisting of a three-month active suspension beginning April 5, 2024, and ending July 4, 2024, followed by a probated suspension ending on January 4, 2025. BODA Case No. 69301.

DISABILITY SUSPENSION

During the last fiscal year, BODA decided the following two petitions for disability suspension. Additional case details are available at txboda.org.

Rafael Sierra Jr., 24081494, was found by a district disability committee to be suffering from a disability. The Board entered a judgment of indefinite disability suspension pursuant to the committee's findings. BODA Case No. 67897.

Richard D. Schell, 17736780, by agreement, received an indefinite disability suspension. BODA Case No. 69300.

CLASSIFICATION APPEALS

During the last fiscal year, the Board decided 1,681 appeals of grievance classification decisions. Of those, 1,035 were filed by complainants who appealed the dismissal of their grievance classification as an inquiry, while 646 were filed by respondents who appealed the complaint classification of the grievances filed against them. The Board reversed 225 classifications, for a total reversal rate of 13.4%. Classification appeals filed by respondents were reversed at a much higher rate, however, with 24.9% being reversed as compared to 6.2% of classification appeals filed by complainants. These percentages are proportional to the historical numbers from 1995 to 2004, when BODA previously considered both respondent and complainant classification appeals. During that time, the reversal rate for respondent appeals ranged between 18% and 25%, while the reversal rate for complainant appeals ranged between 4% and 8%.

APPEALS TO SUPREME COURT OF TEXAS

All decisions by the Board, other than classification appeals, may be appealed to the Supreme Court of Texas. Unlike an ordinary appeal to the Supreme Court, appeals from the Board's judgments are not subject to discretionary review, but instead are taken as a matter of right. Each appeal is adjudicated by the Court on the merits. From June 1, 2024, through May 31, 2025, four appeals were filed with the Court from the Board's judgments, and six appeals pending from prior years were adjudicated by the Court. As of November 5, 2025, the Court either dismissed the appeal or affirmed the judgment in nine of the ten pending appeals, and one was reversed.

STATISTICS

JUNE 1, 2024 THROUGH MAY 31, 2025

CLASSIFICATION APPEALS FILED AND DECIDED

	Filed	Decided
Complainant appeals of inquiry classification	1,021	1,035
Respondent appeals of a complaint classification	573	646
Total classification appeals	1,594	1,681

OTHER CASES FILED AND DECIDED

Appeal of an evidentiary panel judgment	4	6
Compulsory discipline	5	8
Reciprocal discipline	13	18
Revocation of probation	2	1
Disability	1	2
Total cases	1,619	1,716

HEARINGS AND CONFERENCES

En banc conferences	4
En banc hearings	4
Weekly panel telephone conferences	45
Average panel docket	40

GRIEVANCE DISPOSITION

Grievances screened by CDC*	7,964
Upgraded for investigation by CDC (complaint classification)*	3,100
Dismissed by CDC (inquiry classification)*	4,221
Complainant appeals from dismissal (inquiry classification)	1,021/4,221 (24.2%) of cases dismissed
Respondent appeals from upgrade (complaint classification)	573/3,100 (18.5%) of cases upgraded

*Source: Commission for Lawyer Discipline

BODA CLASSIFICATION APPEAL DISPOSITION

Complainant appeals from dismissal reversed (upgraded)	64/1,035 (6.2%)
Respondent appeals from upgrade reversed (dismissed)	161/646 (24.9%)
All classification appeals reversed	225/1,681 (13.4%)

CLASSIFICATION APPEAL TIMELINE

Average time to receive file from CDC	5 days
Average time to decide appeal after file received	40 days
Average total time from filing to decision	45 days

CLASSIFICATION APPEAL REVERSALS: RULES CITED BY THE BOARD

Most Common TDRPC Violations Alleged	Reversals
1.15(d) Failure to return file or unearned fee (renumbered as 1.16(d) effective Oct. 1, 2024)	18
1.14(b) Safekeeping property (renumbered as 1.15(b) effective Oct. 1, 2024)	16
1.03 Communication	16
1.01(b) Neglect	12
8.04(a)(2) Criminal act that reflects adversely on the lawyers honesty, trustworthiness or fitness as a lawyer	4

CLASSIFICATION APPEAL REVERSALS: RULES CITED BY THE BOARD

# Violations Cited	Reversals
1	36
2	23
3	4
6	1
64 TOTAL	

APPEALS TO SUPREME COURT OF TEXAS

Decisions appealed to Supreme Court during FY24-25	4
Appeals pending before Supreme Court at start of FY24-25	6
Cases decided by Supreme Court as of Nov. 5, 2025	10
Appeals from FY24-25 still pending	0

**Source: Commission for Lawyer Discipline*



Hearings before the Board of Disciplinary Appeals, W.C. Kirkendall, Chair, presiding, David Iglesias (left), Jason Boatright, Vice Chair (right)



Board Member Robert Henneke



Board Member Melissa Goodwin



Chair Kelli Hinson, center, presides over hearings. The Board thanks Kelli Hinson, Nancy Stone (left), and Mike Gross (right) for their six years of service on the Board.

THE BOARD OF DISCIPLINARY APPEALS

APPOINTED BY THE SUPREME COURT OF TEXAS

MEMBERS 1992–2025

S. Jack Balagia, Houston *	2000-2005	Marvin W. Jones, Amarillo * **	2009-2015
Jessica Z. Barger, Houston	2019-2022	John E. Kinney, Austin	1992
Robert A. Black, Beaumont *	2013-2019	Kathy Kinser, Dallas †*	2014-2020
Jason Boatright, Dallas **	2021-	W.C. "Bud" Kirkendall, Seguin *	2021-
Faye M. Bracey, San Antonio	1992-1995; 1999-2003	David N. Kitner, Dallas * **	2012-2018
Alice A. Brown, Houston	2006-2012	W. Clark Lea, Midland *	2007-2013
Kathy Owen Brown, Dallas **	2000-2006; 2008-2014	Ann Crawford McClure, El Paso	1992
Fernando M. Bustos, Lubbock	2024-	John J. "Mike" McKetta, III, Austin	2014-2020
Jennifer Caughey, Houston	2022-2024	Mary Alice McLarty, Dallas	1992-1994
David A. Chaumette, Sugar Land	2008-2014	Rudolph K. "Rudy" Metayer, Austin	2020-2023
Guy Choate, San Angelo	2019-2022	Mike Mills, McAllen	2015-2021
Joseph F. Cleveland Jr., Fort Worth	2019-2022	Tanner Neidhardt, Dripping Springs	2025-
Paul D. Clote, Houston * **	2002-2008	William "Bill" Ogden, Houston	2020-2023
Jeanne C. "Cezy" Collins, El Paso	2013-2019	Evelina Ortega, El Paso	1994-1997
Frank Costilla, Brownsville	1995-2001	Clement H. Osimetha, Dallas	2002-2008
Jack R. Crews, Temple †	2009-2015	Thomas E. Pitts, Lubbock * **	2003-2009
Arthur D'Andrea, Austin	2022-	Carol E. Prater, Temple	2003-2009
Yolanda de León, Harlingen	2002-2008	Deborah Pullum, Tyler	2014-2020
Josephine V. Dye, Dallas	1996-2002	Deborah J. Race, Tyler	2007-2013
Ramon Luis Echevarria, II, Houston	2012-2018	William J. Rice, Houston	1992-1993
Robert Flowers, Austin †	2001-2007	Eduardo R. Rodriguez, Brownsville	1992-1995
Susan Saab Fortney, Lubbock	1995-1999	Courtney C. Schmitz, McKinney	2022-
Scott A. Fredricks, Fort Worth	2023-	Ben Selman, Waco *	1995-2001; 2006-2012
James S. Frost, Seguin * **	1994-1997; 2000-2006	Stanley M. Serwatka, El Paso **	1997-2003
Melissa Goodwin, Austin	2023-	JoAl Cannon Sheridan, Austin * **	2008-2014
Alexander J. Gonzales, Austin	1994-2000	Charles L. Smith, San Antonio	2006-2012
David M. González, Austin * **	2015-2021	Nancy J. Stone, Amarillo	2018-2024
Jose I. Gonzalez-Falla, Austin **	2003-2009	George A. Taylor, San Antonio	2012-2018
Andrew D. Graham, Dallas	2022-	Cindy V. Tisdale, Granbury	2020-2022
William D. Greenhill, Fort Worth	2001-2007	Bill Turner, Bryan	1996-2002
Mike Gregory, Denton †	2018-2021	Karen L. Watkins, Austin *	2001-2007
Michael C. Gross, San Antonio **	2018-2024	Steven J. Watkins, Houston *	1992-2000
Gary R. Gurwitz, McAllen	2009-2015	Thomas H. Watkins, Austin *	1992-1994, 2001
Woodrow J. Halstead, III, San Antonio	2024-	J. Michael Watson, Houston	1996-2002
Robert Henneke, Port Aransas	2024-	Cheryl B. Wattley, Dallas	1992-1995
Kelli M. Hinson, Dallas * **	2018-2024	Carol Herring Weir, San Antonio †	1995-2001
Wendy Adele Humphrey, Lubbock	2015-2018	Thomas David Wells, III, Paris †	1992-1993
Rhonda F. Hunter, Dallas	1993-1996	Robert J. Werner, Austin	1994-2000
David Iglesias, Tyler	2021-	Gaines West, College Station * **	1992-1996; 1997-2003
Tim James, Nacogdoches	1993-1996	Thomas J. Williams, Fort Worth	2007-2013
Roland K. Johnson, Fort Worth	2013-2019		



*Chair ** Vice Chair † Deceased