



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

**IN THE MATTER OF
THELMA M. ANDERSON,
STATE BAR CARD NO. 24091728**

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CAUSE NO. 71154

ORDER

On this day, the Board of Disciplinary Appeals considered the pleading titled “Motion to Abate and Stay Proceedings, Motion to Remove July 31, 2026, Hearing, and Request for Limited Findings of Fact and Conclusions of Law” filed by Thelma M. Anderson, Respondent in the above-captioned compulsory discipline case. Respondent requests that the Board abate or stay this compulsory discipline case pending a federal district court’s disposition of her collateral attack on the judgment of criminal conviction. *See United States v. Anderson*, Case No. 3:24-CR-00191-K (N.D. Tex) (pending “Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255”). Having considered Respondent’s arguments in her motion and Petitioner’s arguments in its response, the Board finds as follows:

1. On March 2, 2026, the Board issued its Interlocutory Order of Suspension, suspending Respondent from the practice of law pending further order of the Board and noting that the Board retains jurisdiction to enter a final judgment upon final decision in the criminal appeal. *See* TEX. RULES DISCIPLINARY P. R. 8.04-.05; BODA INTERNAL PROCEDURAL RULE 6.02(a).
2. Petitioner filed its Motion for Entry of Judgment of Disbarment by email on May 27, 2026. That filing indicates that Respondent was served by email to the email address she customarily uses to communicate with the Board, as well as another email address, and by

regular and certified mail. Later that same day, Respondent replied to Petitioner's filing email from each of those two email addresses. She also filed a "Response and Objection to Petitioner's Motion for Entry of Judgment of Disbarment, Motion to Deny Hearing, and Motion to Remove Hearing Setting."

3. The Board denied the relief sought in Respondent's motion filed May 27, 2026, by order issued June 1, 2026. In that order, the Board referenced Texas Rule of Disciplinary Procedure 8.05 and explained that if Respondent did not file a verified denial contesting finality of the judgment of conviction within ten (10) days after service of the Motion for Judgment of Disbarment, then that Motion was subject to being removed from the July 31, 2026, hearing docket. However, if Respondent timely filed a verified denial contesting finality, then the matter would remain on the hearing docket for a determination as to finality of Respondent's criminal conviction.
4. On June 8, 2026, Respondent filed the "Motion to Abate and Stay Proceedings, Motion to Remove July 31, 2026, Hearing, and Request for Limited Findings of Fact and Conclusions of Law." In that motion, Respondent contests the finality of the judgment of criminal conviction based on a motion she filed in federal district court under 28 U.S.C. § 2255. However, Respondent's motion was not verified, and Respondent has failed to file a timely verified denial contesting finality.
5. The Board requested that Petitioner file a response to Respondent's June 8, 2026 motion, and set a deadline of 5:00 p.m. on June 12, 2026. The deadline for Respondent to file a reply was 5:00 p.m. on June 16, 2026. The Board requested that the response and reply address "whether Respondent's failure to file a *verified* denial contesting finality of the judgment of conviction prohibits the Board from conducting a hearing as to finality of the judgment and/or a hearing as to whether the Board should exercise its discretion to suspend

Respondent rather than disbar as provided in Texas Rules of Disciplinary Procedure 8.05 and 8.06, or whether the Board must decide the Motion for Entry of Judgment of Disbarment on the pleadings and without a hearing.”

6. Petitioner timely filed its response. At exactly 5:00 p.m. on June 16, 2026, when the reply was due to be filed, Respondent emailed the Board referencing an attached reply, but no document was actually attached. BODA staff immediately responded to Respondent’s email noting that no document was attached to her email. As of 12:48 pm today, Respondent still has filed no reply.
7. Documents attached to the Motion for Entry of Judgment of Disbarment show that the United States Court of Appeals for the Fifth Circuit dismissed Respondent’s appeal as frivolous on April 20, 2026, and issued the judgment as the mandate on May 11, 2026.

In light of those findings, the Board makes the following conclusions:

1. As the Board concluded in its March 2, 2026, Interlocutory Order of Suspension, Respondent has been convicted of a Serious Crime and Intentional Crime as defined in Texas Rule of Disciplinary Procedure 1.06.
2. Respondent was served the Motion for Entry of Judgment of Disbarment, with certified copies of court documents attached, on May 27, 2026, in accordance with Texas Rule of Civil Procedure 21a. *See* TEX. RULES DISCIPLINARY P. R. 8.05.
3. Respondent did not file a verified denial contesting finality of the judgment of conviction within ten (10) days of service of the Motion for Entry of Judgment of Disbarment, as required by rule. *See* TEX. RULES DISCIPLINARY P. R. 8.05.
4. Therefore, the Board is required by rule to decide the Motion for Entry of Judgment of Disbarment without a hearing on the issue of the finality of the judgment of criminal conviction. TEX. RULES DISCIPLINARY P. R. 8.05.

5. A criminal conviction becomes final for purposes of compulsory discipline when the appellate court issues its mandate after deciding the direct appeal. *See* BODA INTERNAL PROCEDURAL RULE 6.02(a) (“For purposes of rendering final judgment in a compulsory discipline case, the direct appeal of the criminal conviction is final when the appellate court issues its mandate.”).
6. Respondent’s pending motion seeking collateral review of her conviction under 28 U.S.C. § 2255 has no bearing on finality for purposes of compulsory discipline. *See id.*; *see, e.g., United States v. Plascencia*, 537 F.3d 385, 388 (5th Cir. 2008) (recognizing that a motion filed under 28 U.S.C. § 2255 is a collateral attack of a conviction and sentence).
7. By rule, Respondent’s conviction of Wire Fraud in violation of 18 U.S.C. § 1343 is final for purposes of compulsory discipline. BODA INTERNAL PROCEDURAL RULE 6.02(a).
8. When a respondent’s sentence upon conviction of a Serious Crime, as defined by Texas Rule of Disciplinary Procedure 1.06(GG), is fully probated, the Board has discretion to either disbar the respondent or to suspend the respondent’s law license for the remaining term of criminal probation. TEX. RULES DISCIPLINARY P. R. 8.05-.06; *In re Caballero*, 272 S.W.3d 595, 601 (Tex. 2008).

The Board **ORDERS** as follows:

1. Respondent’s “Motion to Abate and Stay Proceedings, Motion to Remove July 31, 2026, Hearing, and Request for Limited Findings of Fact and Conclusions of Law,” and the relief sought therein, is **DENIED** for the reasons expressed above.
2. The hearing in this compulsory discipline matter shall remain set for 9:00 a.m. on July 31, 2026, in the courtroom of the Supreme Court of Texas in Austin.
3. The hearing shall be limited to how the Board should exercise its discretion under Texas Rules of Disciplinary Procedure 8.05 and 8.06 to either disbar the Respondent or to suspend

the Respondent's law license for the remaining term of criminal probation. *See In re Caballero*, 272 S.W.3d 595 (Tex. 2008).

4. No motion by Respondent for remote participation or for continuance based on probation travel restrictions will be granted without documentation showing that Respondent sought "permission from the court or probation officer," as allowed under the Standard Conditions of Probation, and that permission to travel for purposes of the hearing before the Board was denied. Any such documentation must be verified by Respondent in an affidavit or unsworn declaration. *See* TEX. CIV. PRAC. & REM CODE § 132.001.

Any relief not expressly granted is denied.

SIGNED this 17th day of June 2026.



CHAIR PRESIDING