



FILED

Jan 29 2026

THE BOARD of DISCIPLINARY APPEALS
Appointed by the Supreme Court of Texas

**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**

CAUSE NO. 71154

**RESPONDENT'S MOTION FOR CONTINUANCE
AND OBJECTION TO HEARING SETTING DUE TO LACK OF JURISDICTION,
PROBATION RESTRICTIONS, AND DENIAL OF MEANINGFUL ACCESS TO THE
HEARING VIA EMAIL**

Respondent, Thelma M. Anderson, files this Motion for Continuance and Objection to the January 30, 2026 hearing setting, and respectfully shows the Board as follows. This motion is filed as a special appearance only and expressly preserves all objections to personal jurisdiction, service, and constitutional error. Nothing herein constitutes waiver.

**I. CONTINUANCE IS REQUIRED BECAUSE THE BOARD LACKS PERSONAL
JURISDICTION DUE TO FAILURE OF SERVICE**

The Commission for Lawyer Discipline has never properly served the Original Petition for Compulsory Discipline, nor has it produced proof of service as required under the Texas Rules of Civil Procedure. Respondent never received the Original Petition because it was never properly served. There is no return of service, no affidavit of service, and no certified mail receipt signed by Respondent.

Because the Original Petition was never served, personal jurisdiction never attached. Any assertion that amended pleadings cure this defect is legally incorrect. Amended pleadings presuppose existing jurisdiction and cannot retroactively create jurisdiction where none existed.

Absent proper service and proof of service, the Board lacks authority to compel Respondent's appearance or proceed with a hearing. A continuance is therefore required.

**II. CONTINUANCE IS REQUIRED BECAUSE THE BOARD IS AWARE RESPONDENT
IS ON FEDERAL PROBATION AND CANNOT TRAVEL**

The Board is aware that Respondent is currently subject to federal probation. The probation documentation in the Board's possession restricts Respondent from traveling outside of Dallas County absent prior approval.

The January 30, 2026 hearing is set in Austin, Texas, outside Respondent's permitted jurisdiction. Respondent cannot lawfully travel to attend the hearing in person.

III. NO VIRTUAL OPTION HAS BEEN PROVIDED, EFFECTIVELY PROHIBITING RESPONDENT'S ABILITY TO BE PRESENT

The hearing acknowledgment form and notice provided by the Board do not offer or identify any virtual participation option. By failing to provide a remote appearance option, the Board is effectively prohibiting Respondent from being present at the hearing despite knowing she is legally prohibited from traveling.

IV. FORCING A HEARING UNDER THESE CONDITIONS VIOLATES DUE PROCESS AND RESPONDENT'S RIGHTS

Proceeding with a hearing where jurisdiction has not been established, service has not been proven, Respondent cannot lawfully travel due to federal probation, and no virtual option is provided violates Respondent's constitutional due process rights and her rights as a licensed attorney.

V. GOOD CAUSE EXISTS AND THIS MATTER MUST BE PAUSED

Good cause exists for a continuance because jurisdiction has not attached, Respondent is prohibited from traveling due to federal probation, no virtual option has been provided, and proceeding would violate due process.

PRAYER

For these reasons, Respondent respectfully requests that the Board:

1. Continue the January 30, 2026 hearing;
2. Refrain from resetting the matter unless and until proper service is effected and a lawful method of appearance is provided; and
3. Grant all other relief to which Respondent is justly entitled.

Respectfully submitted,

THELMA M. ANDERSON
Respondent



ACKNOWLEDGMENT OF HEARING

You have an attorney discipline case pending before the Board of Disciplinary Appeals. The case is set for hearing before the Board as follows:

Case: In the Matter of Thelma M. Anderson (A Compulsory Discipline Matter)
Hearing Date/Time: Friday, January 30, 2026, at 9 am
Supreme Court Courtroom, Austin

To assist the Board in planning and docket management, **please complete this form and return it by Friday, January 16, 2026.**

I, _____, acknowledge the above hearing setting in the above case and intend to participate as follows:

- I waive my opportunity to participate in the hearing and consent to have the matter decided on the pleadings.
- I wish to participate in a hearing but will file a motion for continuance or other relief, in accordance with BODA Internal Procedural Rule 1.09. **Any such motion should be filed at least ten days before the above hearing setting.**
- I intend to participate in the hearing noticed above, as follows:

Time requested to present case: _____

Witnesses: _____

This form does not constitute an answer, responsive pleading, or a motion for continuance. Please consult the Texas Rules of Disciplinary Procedure and BODA Internal Procedural Rules to ensure that any required responsive pleading or motion for continuance is timely and properly filed.

If you have retained counsel in this matter, counsel should enter an appearance.

Failure to return this form could result in this matter being removed from the contested hearing docket, reset, and placed on a docket for uncontested matters.

SIGNATURE OF PARTY OR COUNSEL: _____

Petitioner Petitioner's counsel Respondent Respondent's counsel

RETURN TO: filing@txboda.org or P.O. Box 12426 Austin, TX 78711

A copy of this form must also be sent to the opposing party.