



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

IN THE MATTER OF	§	
JAMES MORRIS BALAGIA	§	CAUSE NO. 65867
STATE BAR CARD NO. 00783589	§	

INTERLOCUTORY ORDER OF SUSPENSION

On the 29th day of April, 2022, the above-styled and numbered compulsory disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner, the Commission for Lawyer Discipline, appeared by attorney and Respondent, James Morris Balagia, although duly cited to appear, failed to appear and wholly made default. All questions of fact and 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, conclusions, and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, James Morris Balagia, whose State Bar Card number is 00789589, is licensed by the Supreme Court of Texas but is not currently authorized to practice law in the State of Texas.
- (2) On or about May 4, 2021, a Judgment in a Criminal Case was entered in Cause No. 4:16-CR-00176-ALM-KPJ(3), styled *United States of America v. James Morris Balagia*, in the United States District Court for the Eastern District of Texas, Sherman Division, wherein Respondent was adjudicated guilty of the following offenses:

Count 1, Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. § 1956(h) and (a)

Count 2, Obstruction of Justice and Aiding and Abetting, in violation of 18

U.S.C. § 1503 and § 1503(b)(3)

Count 3, Conspire, Endeavor, and Attempt to Violate the Kingpin Act, in violation of 21 U.S.C. § 1904(c)(2) and § 1906

Count 4, Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. § 1349 and § 1343

Count 5, Conspiracy to Obstruct Justice, in violation of 18 U.S.C. § 371

- (3) Respondent was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 188 months as to counts 1, 3, and 4; 120 months as to count 2; and 60 months as to count 5; with all terms running concurrently. Upon release from imprisonment, Respondent will be on supervised release for a term of three (3) years, which consists of terms 3 years on each of Counts 1 through 5, all such terms to run concurrently. Respondent was further ordered to pay penalties of an assessment in the amount of \$500.00.
- (4) Respondent, James Morris Balagia, is the same person as the James Morris Balagia who is the subject of the criminal case described above.
- (5) Respondent has appealed the criminal conviction.

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 compulsory discipline matter. TEX. R. DISCIPLINARY P. R. 7.08(G), 8.01–.04.
- (2) Respondent, James Morris Balagia, having been found guilty of the offenses listed in finding (2), above, has been convicted of Intentional Crimes as defined by Texas Rule of Disciplinary Procedure (TRDP) 1.06(V).
- (3) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(GG).
- (4) Having been found guilty and convicted of Intentional and Serious Crimes, and having appealed such conviction, Respondent, James Morris Balagia, should have his license to practice law in Texas suspended during the appeal of his criminal conviction. TEX. R. DISCIPLINARY P. R. 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final. TEX. R. DISCIPLINARY P. R. 8.04–.05.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, James

Morris Balagia, State Bar Card No. 00783589, is hereby **SUSPENDED** from the practice of law in the State of Texas effective immediately upon entry of this order and continuing hereafter until further order of this Board.

It is further **ORDERED, ADJUDGED, and DECREED** that Respondent, James Morris Balagia, 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, James Morris Balagia, 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 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. 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 each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any legal matter pending, if any, of his suspension, has been notified; or (b) that Respondent has no legal matters pending in any court.

It is further **ORDERED** that Respondent shall immediately notify each of his current

clients, 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 or control but which belong to current clients or former clients, if any, to those respective clients or former clients, or to another attorney at the client's or former client's request, 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 have been notified of his suspension and that all files, papers, unearned fees paid in advance, and all other monies and properties have been returned as ordered herein; or (b) that Respondent has no current clients as of the date of this Order. 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 or former client and the cause of his inability to return to 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, James Morris Balagia, 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 a certified copy of the First Amended Petition for Compulsory Discipline on file herein, along with a copy of this Order, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further **ORDERED** that this Order is interlocutory and that the Board retains

Default Interlocutory Order of Suspension
James Morris Balagia
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jurisdiction to enter a final judgment when the appeal of the criminal conviction is final. *See 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 if and when the appeal of the criminal conviction is final.

Signed this 6th day of May 2022.

A handwritten signature in blue ink, appearing to read "Leei H", is written above a horizontal line.

CHAIR PRESIDING

Board members Jason Boatright and Cindy Tisdale did not participate in this decision.