

- (4) On or about January 6, 2015, a Panel Decision with Decision of Hearing Committee attached was filed in the Before the Disciplinary Board of the Supreme Court of the State of New Mexico in a matter styled, *In the Matter of Joshua Carpenter, Esq.*, Disciplinary No. 09-2014-700.
- (5) On or about March 11, 2015, an Order was filed in the Supreme Court of the State of New Mexico in a matter styled, No. 35,078, *In the Matter of Joshua Carpenter, An Attorney Licensed to Practice Before the Courts of the State of New Mexico* that states in pertinent part as follows:

...IT IS FURTHER ORDERED that JOSHUA CARPENTER is INDEFINITELY SUSPENDED from the practice of law UNDER Rule 17-206(A)(3) NMRA, which suspension shall be DEFERRED upon certain terms and conditions;

IT IS FURTHER ORDERED that respondent shall be placed on supervised probation under Rule 17-206(B)(1) NMRA for a period of two (2) years effective immediately;
- (6) The Conditional Agreement Not to Contest and Consent to Discipline, which was affirmed by the Hearing Panel and adopted by the Supreme Court of the State of New Mexico, established that Respondent failed to provide competent representation to a client; improperly revealed information related to the representation of a client; represented a client in a matter substantially or directly adverse to another client without obtaining the proper consent; knowingly made a false statement of material fact in connection with a disciplinary matter; violated the Rules of Professional Conduct; committed a criminal act that reflect adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects; engaged in conduct involving dishonesty, fraud, deceit or misrepresentation; and engage in conduct that is prejudicial to the administration of justice. In doing so, it established Respondent violated the following rules: Rule 16-101 - failing to provide competent representation to a client; Rule 16-106(A) – Confidentiality of Information; Rule 16-107(A)(2) – Conflict of Interest; current clients; Rule 16-112 – Third Party Neutral; Rule 16-801(A) – Bar Admission and Disciplinary Matters; and Rule 16-804(A), (B), (C) and (D) – Misconduct.
- (7) Respondent, Joshua Lowell Carpenter, is the same person as the Joshua Carpenter, who is the subject of the Order filed in the Supreme Court of the State of New Mexico; and
- (8) The Order filed in the Supreme Court of the State of New Mexico is final.

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

- (1) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(H);
- (2) Reciprocal discipline identical to that imposed by the Supreme Court of the State of New Mexico is warranted in this case.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Joshua Lowell Carpenter, State Bar Card No. 24090907, is hereby suspended from the practice of law in Texas for a period of two years with the suspension being deferred and Respondent being placed on probation for a period of two year beginning July 17, 2015, and ending July 17, 2017, under the following terms and conditions:

1. Respondent shall not violate any of the provisions of the Texas Disciplinary Rules of Professional Conduct nor any provision of the State Bar Rules.
2. That Respondent not be found guilty of, or plead no contest to, any felony involving moral turpitude or any misdemeanor involving theft, embezzlement, or fraudulent misappropriation of money or other property.
3. That Respondent notify both the Office of Chief Disciplinary Counsel and the Membership Department of the State Bar of Texas of any change in Respondent's address within thirty (30) days of the change of address.

Probation Revocation

Upon determination that Respondent has violated any term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.23 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If

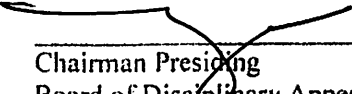
BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further ORDERED that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

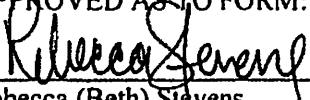
It is further ORDERED that a certified copy of the Petition for Reciprocal Discipline on file herein, along with a copy of this Judgment, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

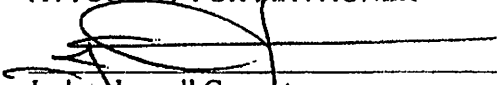
IT IS FURTHER ORDERED that this Judgment of Fully Probated Suspension shall be made a matter of public record and be published in the Texas Bar Journal.

Signed this 17th day of July 2015.


Chairman Presiding
Board of Disciplinary Appeals
Appointed by the Supreme Court of Texas

APPROVED AS TO FORM:


Rebecca (Beth) Stevens
Assistant Disciplinary Counsel
State Bar No. 24065381
ATTORNEY FOR PETITIONER


Joshua Lowell Carpenter
State Bar No. 24090907
RESPONDENT