

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

IN THE MATTER OF	§	
ROLAND CABALLERO	§	CAUSE NO. 38821
STATE BAR CARD NO. 03569280	§	

JUDGMENT OF DISBARMENT

On the 23rd day of March 2007, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals appointed by the Supreme Court of Texas. Petitioner, the Commission for Lawyer Discipline of the State Bar of Texas, appeared by its attorney and announced ready. Respondent, Roland Caballero, appeared in person and by his attorney and announced ready. All issues of fact, as well as all questions of law, were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, received evidence, and heard the argument of counsel, the Board is of the opinion that Petitioner is entitled to rendition of the following findings and judgment:

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

- (1) Respondent, Roland Caballero, State Bar Card Number 03569280, is currently licensed by the Supreme Court of Texas and authorized to practice law.
- (2) On June 1, 2006, a Plea Agreement was signed in Cause No. SA-04-CR-611-FB, styled *United States of America v. Roland Caballero*, United States District Court, Western District of Texas, San Antonio Division, wherein Respondent pled guilty to Count One of the pending Indictment for Mail Fraud in violation of 18 U.S.C. §1341.
- (3) On or about October 16, 2006, a Judgment in a Criminal Case (For Offenses Committed On or After November 1, 1987) was entered in Case Number SA-04-CR-611(1)FB, being the same cause as stated above, adjudging the Respondent guilty of Mail Fraud, in violation of 18 U.S.C §1341.

- (4) Said judgment sentenced Respondent to supervised probation for a term of five (5) years and ordered him to pay a Special Assessment of \$100.00 and Restitution in the amount of \$57,937.50.
- (5) Respondent, Roland Caballero, is the same person as the Roland Caballero who is the subject of the Judgment in a Criminal Case described above in finding (3).
- (6) Respondent's criminal sentence was fully probated.
- (7) The conviction is final.

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

- (1) This Board has jurisdiction to hear and determine this matter. Texas Rules of Disciplinary Procedure ("TRDP") 7.08(G).
- (2) Respondent, Roland Caballero, having pled guilty to and been sentenced for Mail Fraud, has been convicted of an Intentional Crime as defined by TRDP 1.06(T) and of a Serious Crime as defined by TRDP 1.06(Z).
- (3) Respondent has been convicted of an Intentional Crime for purposes of TRDP 8.04.
- (4) Respondent should be disbarred.

It is, accordingly, **ORDERED, ADJUDGED, AND DECREED** that Respondent, Roland Caballero, State Bar Card No. 03569280, be and he hereby is **DISBARRED** from the practice of law in the State of Texas, and that his license to practice law in this state be and hereby is **REVOKED**.

It is further **ORDERED, ADJUDGED** and **DECREED** that Respondent, Roland Caballero, is hereafter 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 prior to the date of this judgment, 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, Roland Caballero, no later than thirty (30) days from the date of this judgment, shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent, Roland Caballero, has any legal matter pending, if any, of his disbarment, 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 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, Roland Caballero, shall immediately notify each of his current clients, if any, in writing, of his disbarment. In addition to providing 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 but which belong to current or former clients, if any, to those respective clients or former clients within thirty (30) days from the date of this judgment.

Respondent is further **ORDERED** to file with this Board, within the same thirty (30) days, an affidavit stating that all current clients have been notified of his disbarment and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein. If Respondent should be 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 such client and the cause of his inability to return to said client any file, paper, money or other property. Respondent is also

ORDERED to mail a copy of said affidavit and copies of all notification letters to clients, to the 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, Roland Caballero, immediately surrender his Texas law license and permanent State Bar Card to the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further **ORDERED** that a certified copy of the Petition for Compulsory 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.

Signed this 28th day of March 2007.



CHAIR PRESIDING