



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

IN THE MATTER OF §
GEORGE R. CARTER § **CAUSE NO. 60162**
State Bar of Texas Card no. 00785388 §

JUDGMENT OF SUSPENSION

On January 31, 2020, the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and announced ready. Respondent, although duly cited to appear, failed to appear. All matters of fact as well as all matters 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 and orders:

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

- (1) Respondent, George R. Carter, whose State Bar of Texas Card No. is 00785388 is an attorney licensed and authorized by the Supreme Court of Texas to practice law in the State of Texas.
- (2) On or about August 13, 2015, a Complaint was filed with the State Bar of Nevada, Southern Nevada Disciplinary Board, in a matter styled: *State Bar of Nevada, Complainant, vs. George R. Carter, Esq., NV Bar No. 169, Respondent*, in Case Nos. SG14-0788, SG14-0789, SG14-1244, SG14-1056.
- (3) On or about January 15, 2016, a Conditional Guilty Plea in Exchange for a Stated Form of Discipline was filed with the State Bar of Nevada, Southern

Nevada Disciplinary Board, in a matter styled: *State Bar of Nevada, Complainant, vs. George R. Carter, Esq., NV Bar No. 169, Respondent*, in Case Nos. SG14-0788, SG14-0789, SG14-1244, SG14-1056.

- (4) On or about July 26, 2016, Findings of Fact, Conclusions of Law and Panel Recommendation for Discipline) were filed with the State Bar of Nevada, Southern Nevada Disciplinary Board, in a matter styled: *State Bar of Nevada, Complainant, vs. George R. Carter, Esq., NV Bar No. 169, Respondent*, in Case Nos. SG14-0788, SG14-0789, SG14-1244, SG14-1056.
- (5) On or about May 18, 2017, an Order of Suspension was entered in the Supreme Court of the State of Nevada, in a matter styled: *In the Matter of Discipline of George R. Carter, Bar No. 169*, in Case No. 70907, that states in pertinent part as follows:

... We hereby suspend attorney George R. Carter from the practice of law in Nevada for a period of 4 years commencing from the date of this order. . .

- (6) The Order of Suspension found that under the agreement, Carter admitted that he knowingly violated RPC 1.15 (safekeeping property) by improperly distributing client funds to a nonlawyer, and RPC 5.4 (professional independence) and RPC 5.5 (unauthorized practice of law) by allowing a nonlawyer to perform legal services under his auspices. Carter agreed to a 4-year suspension, to pay \$206,879.51 in total restitution, and to pay the actual costs of the disciplinary proceedings, including a \$750 assessment for staff salaries and costs.
- (7) Respondent, George R. Carter, is the same person as the George R. Carter, who is the subject of the Order of Suspension entered in the Supreme Court of Nevada; and
- (8) The Order entered in the Supreme Court of Nevada 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. Rule 7.08(H), Texas Rules of Disciplinary Procedure;

- (2) Reciprocal discipline identical to that imposed in the Supreme Court of Nevada is warranted in this case.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, George R. Carter, State Bar of Texas Card No. 00785388, is hereby SUSPENDED from the practice of law in Texas for a period of four years beginning February 1, 2020 and ending January 31, 2024.

It is further ORDERED, ADJUDGED and DECREED that Respondent George R. Carter, during said suspension is prohibited 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, appearing as counsel or in any representative capacity 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, George R. Carter, within 30 days of 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, George R. Carter, 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.

It is further ORDERED Respondent shall file with the State Bar of Texas, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within 30 days of the date of this judgment, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in Court.

It is further ORDERED that Respondent, George R. Carter, within 30 days of the date of this judgment, shall notify each of his current clients and opposing counsel, 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 but which belong to current or former clients, if any, to those respective clients or former clients within 30 days of the date of this judgment if requested.

It is further ORDERED Respondent shall file with the State Bar of Texas, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within 30 days of the date of this judgment, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property requested by any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property.

It is further ORDERED that Respondent, George R. Carter, within 30 days of the date of this judgment, surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, 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 Seventh Amended Petition for Reciprocal Discipline on file herein, along with a copy of this Judgment, be sent to the Office of 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 Suspension shall be made a matter of public record and be published in the Texas Bar Journal.

Signed this 4th day of February 2020.



CHAIR PRESIDING