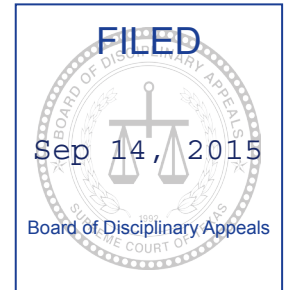


NO. 56620

BEFORE THE BOARD OF DISCIPLINARY APPEALS

APPOINTED BY
THE SUPREME COURT OF TEXAS



CYRIL O. CHUKWURAH
APPELLANT

V.

COMMISSION FOR LAWYERS DISCIPLINE

APPELLEE

BRIEF OF APPELLANT
ON APPEAL FROM EVIDENTIARY PANEL FOR
THE STATE BAR DISTRICT 4-6, NO. 201402059

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NAMES OF ALL PARTIES

This following is a complete list of the names and addresses of all parties to the final decision and their counsel pursuant to Rule 4.06(c)(1), Internal Procedural, Board of Disciplinary Appeals,

Cyril Chukwurah
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Houston, Texas 77036 - Appellant

Commission for Lawyers Discipline
Evidentiary Panel 4-6
Presiding Member: Michael Phifer
c/o State Bar of Texas
P.O. Box 12487
Austin, Texas 78711 - Appellee

Vanessa Windham
Assistant Disciplinary Counsel
State Bar of Texas
600 Jefferson, Suite 1000
Houston, Texas 77002 - Counsel for Appellee

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A THIRD PARTY, BETWEEN 2012 AND 2014, WAS IN
VIOLATION OF RULE 1.14(b) TEXAS DISCIPLINARY
RULES OF PROFESSIONAL CONDUCT, BECAUSE
APPELLANT HAS NO DEALING WHATSOEVER WITH
COMPLAINANT NOR THE THIRD PARTIES IN THIS CASE
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BRIEF GENERAL STATEMENT OF THE NATURE OF THE CAUSE OR OFFENSE AND THE RESULT.

Appellant states:

Type of Proceeding: Attorney Discipline

Petitioner/Appellee: The Commission for Lawyer Discipline

Respondent/Appellant: Cyril Chukwurah

Evidential Panel: 4-6 Presiding : Michael Phifer

Judgment: Disbarment

Violations Alleged: Rule 1.14(b) [Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive.

Rule 8.04(a)(7) [A lawyer shall not violate any disciplinary or disability order or judgment

ISSUES PRESENTED FOR REVIEW

Appeals, the following issues are presented for review.

1. **Whether or not there is any competent evidence (more than a scintilla) that Appellant's failure to release personal injury settlement funds to St. Luke Hospital a third party, between 2012 and 2014, was a violation of Rule i.14(b).**
2. **Whether or not there is any competent evidence (more than a scintilla) that Appellant violated any disciplinary or disability order or judgment. Rule 8.04(a)(7)**
3. **Whether or not there is a specific sanction on each alleged rule violation, and if not, whether reversal, revocation, and dismissal is required for such a determination?.**

STATEMENT OF FACTS

My name is Cyril Chukwurah, the Appellant, and it is my opinion that I was wrongfully disbarred from the practice of Law because of race, as an African American. Racism ultimately created the state in which defensiveness and hypocrisy are almost instinctive responses, and innocence and generosity are invitations to trouble. I have been dehumanized, humiliated because of the color of my skin.

I earned a degree in Bachelor of Business Administration (BBA), from the East Tennessee State University in 1985; earned a Master of Business Administration (MBA), from University of Houston, Texas in 1998; earned a JD, Law degree from Thurgood Marshall School of Law, Texas Southern University in 2002. I was licensed to practice Law in 2005 by the State of Texas. Most of my educational background were in Business Administration. I have always been taught that excellence is the best deterrent to racism and sexism, hence I took a delight in pursuing education with a passion.

After graduation from Law School, Law Firms in Houston, Texas, would not hire most of us from Thurgood Marshall School of Law. It is a cliché, that is known but no one would want to have an open discussion as to the ill effects of this conduct. They must be recognized as facts, but unpleasant facts, things that stand in the way of civilization and common decency. They can be met in but one way- by the breath and broadening of human reason, by catholicity of taste and understanding of human values and creativities. It is my opinion that the guiding of thought and the deft coordination of deed is at once the path of honor and humanity. This idealism needs to be addressed by men of good intentions.

I formed Chukwurah's Law Firm, P.C., a Professional Corporation, from the funds that I gathered from friends and Families. The business had been built on something as

fundamental as honesty, spirited courage, patience and sacrifice. The corporation had 5 licensed Attorneys and 12 other employees working for the corporation.

The Texas Legislature enacted Texas Business Corporation Act, for the development of general business corporation. Texas statutes relating to corporations are modern and up-to-date. Texas Legislative mandates, supersedes and trumps all and any rules prescribed by State Bar of Texas in its operations.

A Corporation as a legal entity separate and distinct from its shareholders goes way back in history and is so deeply engrained in modern thought and practice in Texas, that it is rarely questioned. Provisions of modern corporation statutes grant powers to corporations that are generally consistent with the notion that a corporation should be viewed as an entity in its own right. A corporation is not a "person" for purposes of the Federal privilege against self-incrimination, but is a "person" for purposes of the due process clauses of the Fifth and Fourteenth Amendment. *Hale v. Henkel*, 201 U.S. 43, 26 S.Ct. 370, 50 L.Ed 652 (1906); *Sinking Fund Cases*, 99 U.S. (9 Otto) 700, 25 L.Ed 496 (1878). Shareholders clearly do not "own" the property and assets of the corporation. Rather the property and assets are owned by the corporation itself subject to the control of the Board of directors. Indeed, shareholders have very limited, indeed, virtually no power to direct that specific assets owned by the corporation be distributed to them or other persons. A shareholder is simply one of numerous participants in the web of relationships; he is not an ultimate owner of the enterprise but merely a contributor of capital who is entitled to the residual economic value of the enterprise. Each contract in the "nexus of contracts warrants the same legal and constitutional protections as other legally enforceable contracts. Freedom of contract

requires that parties to the "nexus of contracts" must be allowed to structure their relations as they desire. *H. Butler, The Contractual Theory of the Corporation*, 11 *Geo-Mason L.Rev.* 99, 100-123 (1989). The clearest statement that corporation charter constitutes a contract between the state and the corporation appears in the famous case of *Trustees of Dartmouth College v. Woodward in 1819*. The Court concluded that the corporate charter was a contract between the corporation and the state of New Hampshire that could not be unilaterally amended by the State. Unilateral amendment, the court held, would constitute an impairment of contract in violation of *Section 10 of Article 1 of the United States Constitution*. 17 U.S. (4 Wheat.) 518, 4 L.Ed. 629 (1819).

The Texas Business Corporation Act contains no indication than an incorporator may incur personal liability. As a practical matter, there appears to be little possibility of such liability. *V.A.T.S. Bus.Corp.Act*, art. 10.02. Further, a professional corporation shareholder has no duty to supervise the officers and employees of a corporation. *Vernon's Ann.Civ.St. art. 1528e, § 5.; Burnap v. Linnartz*, 38 S.W.3d 612, 622 (Tex.App.-San Antonio 2000). Pursuant to Texas Revised Civil Statutes, activities not constituting transacting Business includes, maintaining bank accounts, maintaining offices or agencies for the transaction of business, effecting sales through independent contractors. *TRPA Art. 6132b-10.04*. Pursuant to Professional corporation Act 1528e § 16, when there is a professional service errors, omissions, negligence, incompetence or malfeasance, the corporation, (not the individual shareholders, officers or directors) shall be jointly and severally liable.

On November 21, 2011, I was placed on suspension by the Evidentiary panel, District No. 4D for violating TDRPC 1.01. which states a lawyer shall not accept or

continue employment in a legal matter which the lawyer knows or should know is beyond the lawyer's competence. This the Board affirmed. I respectfully disagree with the Board because been a full member of the American Immigration Council, I am very knowledgeable and competent in Immigration law. The suggestions that were given to the parent of the client were right and correct when she asked for representation of her son. It was Ms. Harrison who was the immigration Attorney during the hearing of my client. She reported to her supervisor Mr. Cassidy who in turn reported the incidence to State Bar. Mr. Cassidy was never present during the hearing before the immigration Judge. Mr. David Cassidy, the immigration supervisor who claimed to have worked for Department of Homeland Security for 26 years, and who refused to be cross examined did not know the law. Further if he was so confident in his knowledge of law, why did he ask U.S. Department of Homeland Security Counsel, Ms. Erica McGuirk, to write the State Bar that he was not subject to the mandate of State Law. This case was reported to the Board of Immigration Appeals, in Washington, which sided with me. The supervisor was removed from his position because of his ineptitude in this area of law. A copy of the law, section 329(b)(3) , 8 U.S.C. §1440, of the Immigration and Nationality Act, and U.S. Attorney letter are attached and incorporated for ease of reference as **Exhibit "A"**. If I was wrong in the representation of my client, the Immigration Judge presiding over the case, would have made the report against me and not the biased and prejudiced Mr. Cassidy and Ms. Harrison.

The Board of Disciplinary Appeals, also stated that there was a suspension that I violated TDRPC 3.01, which deals with meritorious claim. I was exonerated also for the options given to the client, and would respectfully disagree with the Board. Immigration

is my area of knowledge which I am proud of. I lecture and consult in immigration law, and I am good at it.

The Board of Disciplinary Appeals was incorrect with his assessment that I violated TDRPC 8.04(a)(3). Under the immigration law, as an Attorney, you have the right to advise your client and suggest areas of relief to them. It is not deceit, fraud or misrepresentation when you suggest to the client what relief that is available to them. It is up to them to pursue the suggested area of relief.

It is exactly the reason, when the Board of Disciplinary Appeals, remanded the case to the Evidentiary panel, they were flabbergasted and did not know what to do with the case. They abandoned the case until it was brought up in 2015 during the Evidentiary hearing. I am not trying to re-litigate this case but when the President of the Evidentiary panel, Mr. Michael Phifer, refused to allow me discuss the case, but allowed Attorney Vanessa Windham to present this case before the panel, as issues that they need to look into to enhance my punishment, it becomes a double standard, and a denial of fair playing field and injustice

The Jesuoba's case was also allowed by the President of the panel, to be re-litigated and infused into this hearing, but disallowing me to comment on its implications. If I may, the rules says the funds should be disbursed to the client immediately after settlement. When the client refuses to accept the funds, should that be a violation on the part of the Attorney?. These are issues that needed to be revisited from the rules. Condemning Attorneys for every little thing creates a big concern that should be addressed. It is not my intention to re-litigate this cases, but the President of the Evidentiary panel, Mr. Michael Phifer, used them as a platform for my disbarment.

A corporation is a legal entity separate and distinct from its shareholders. Mere fact that one person owns or controls all stocks of the corporation is not in itself sufficient basis for disregarding corporate entity. *Minchen v. Van Trease* (Civ.App. 1968) 425 S.W.2d 435, *ref. n.r.e.*; *Goetz v. Goetz* (Civ.App. 1978) 567 S.W.2d 892. One of the panel member commented that if it were a big corporation, I would have been exonerated, which is a clear evidence of lack of knowledge of the Texas legislative mandate. The rule of law is the Texas legislative mandate; there is no conjectures that should be allowed or suggested which runs contrary to the law.

Once I was suspended in 2011, (N0. 49938 of BODA case), I walked out of the office and left the administration of the office to be run by competent and licensed Attorneys. I was placed on active suspension again in 2012 (N0. 51156 of BODA case). for Jesuoba's case because I did not promptly disburse the funds to Ms. Jesuoba who refused to take the amount that would have been her share of the coffers at the time. I saw the sign of intentional victimization against me. In retrospect, it seems inevitable, it could not have been any other way- a case of what I call the high probability of the improbable. I am now in their radii, someone to frustrate and destroy from the practice of law. Skepticism of the system, degenerates into pessimism when events results in a preponderance of adversity. The individual then no longer openly questions the nature of circumstances, he resigns himself to anticipating their ill effects. Having a foreign name and a black man, it became obvious what their intentions were.

I decided to wind up the corporation and close the business. Under the Texas Business Corporation Act, a person who has become disqualified to render the professional service may act as officer, director, and shareholder of winding up the

corporation or selling the share of the corporation. *Vernon's Ann.Civ.St. art. 1528e. §*

14. Under the current law, there is no longer any type of constructive notice through newspaper publication as there was in the context of dissolution under prior law.

Vernon's Ann.Civ.St. art. 6132b, § 35.

I was ordered to return monies and properties to all clients. Clients that we have worked on their cases for many years came with a bitter mind to collect all they have paid notwithstanding all the work that has been done on their cases. To avoid confrontations, I returned all paid fees to those who wanted to seek the representation of other Attorneys. Winding up is an attempt to close down the law firm. Fortunately, able and capable licensed, staff Attorneys of the law firm decided to take up the running of the law firm. The current statute reflects an underlying rationale in favor of continuation of the business, hence the corporation continued its business under the guidance of licensed Attorneys. *Vernon's Ann.Civ. art. 6132b § 10.5.* Pursuant to Texas Revised Civil Statutes, professional corporation Act 1528e § 17, professional corporation shall have continuity of life independent of the life or status of its shareholders. No shareholder shall have the power to dissolve the professional corporation by his independent act of any kind.

I relieved myself totally from the administration and running of the law firm. All I did was sign checks for remittance to clients who wanted their paid

Attorney's fees disbursed back to them, and payments to Attorneys that have done works on clients' cases. I have to take loans a couple of times to continue the winding up process, because of the prejudicial conditions that I was forced into by the State Bar, and the clients took advantage of the moment, threatening me. Under the statute, the corporation property must be applied to pay the debts of the corporation, hence I sought for loans to cover all refunds to the clients.

Vernon's Ann, Civ.St. 6132b-8.06(a). The law states that Shareholder and partners are obligated to contribute to the extent of any negative capital account balance and towards any liabilities during winding up.

Three competent licensed Attorneys ran the corporation and I walked off the corporation. When a check is needed to be disbursed, the office calls me and I sign the checks. Texas Revised Civil Statutes, states that maintaining bank accounts does not constitute transacting business on behalf of the corporation.

On April 17th 2014, Timothy Baldwin, one of the State Bar Attorneys sent a complaint to me which was from Arshdeep Kaur. I immediately called the State Bar office and was directed to Ms. Jennifer K Veltman who informed me that she was the investigator charged with looking into the case. I told her categorically that I had nothing to do with the case, that I have never had any contact with the complainant, have never met or ever seen the complainant, do not know who

took the case and who settled the case, that if it will resolve the issue, I will sent a check to St Luke's hospital. She agreed and said that it was the right thing to do, that I should immediately send a copy of the remittance of the check to her and she will close the case. I sent the check to St. Luke's hospital and mailed a copy of the correspondence sent to St. Luke's Hospital to Ms. Jennifer Veltman, by certified mail on 4/27/2014. A copy of her email to me and letter to St. Luke's Hospital are attached and incorporated for ease of reference. as **Exhibit "B"**.

During the hearing, at the mention of this statement Attorney Vanessa Windham, claimed that it was a hearsay. Mr. Michael Phifer stated that he does not think that Ms. Jennifer Veltman has the authority to make such statement. If the investigator, who was hired by the State Bar to look into a case and determine if there were issues to pursue before presenting it for evidentiary hearing, is not qualified to act, in her capacity as an investigator, then what is her role?. The dictionary meaning of investigation is "to observe or study by close examination and systematic inquiry", which is Ms. Veltman position. This is brazen violation of the rules and an intention to circumscribe the duties of the investigator, justifying their racist inclinations. It is an intentional act to undermine the investigator who was correctly doing her job in good faith.

Frustrating the goodwill efforts of the investigator in completing her investigation, Attorney Vanessa Windham decided that she would not allow, this "black Attorney:, to get away with this case. A letter dated July 15, 2014, was sent to me, claiming that the office of the Chief Disciplinary Counsel has completed its investigation and determined on July 9th 2014 that I have committed one or more acts of Professional Misconduct. A copy of the letter is attached and incorporated for ease of reference as **Exhibit "C"**. We seem locked up in an internecine escalation of primordial fears and latent resentment. This is an absolute and undeniable evidence of hatred. We delude ourselves by denying the racial undercurrents that is destroying the core existence of this great nation.

How could she claim that an investigation has been completed when the subpoena, Attorney Vanessa Windham, sent to Nationwide insurance company and Bank of American, were still pending as of 16th of January 2015. This is an intentional act of hatred, in her determination to destroy a black man, who, in her opinion should not be allowed to practice law. A copy of both request for business record are attached and incorporated for ease of reference as **Exhibit "D"**. When I commented on sinisteress of her intentions, during the hearing, Mr. Michael Phifer, interjected, preventing me from raising the issue. What we have is a survivalist cabal who has spared no means, no matter how diabolic or divisive to

hold on the reins of power. Such rash decisions made by Attorney Vanessa Windham and Mr. Michael Phifer, many times stem from greed, insensitivity and the need for control, notwithstanding the destructive effects on individuals and families. They are motivated by their own greed, their own vaunting and misplaced ambitions. If the shepherd errs, she must be isolated from other shepherd, but woe unto us if the sheep begin to distrust the shepherd. Their mindset was "How dear you", a black man argue with them. When the trust that we have of the State Bar is lost, it creates a problem for all involved. When the president of the evidentiary panel is fraught with hatred and prejudice, and given power, the result is obvious.

The Evidentiary hearing was finally scheduled for the 12th of August of 2015, to start by 1 pm at the State Bar Building, 600 Jefferson, Suite 1000, Houston Texas 77002. An Evidentiary hearing was also held for a white Attorney which lasted until late in the afternoon.

The Evidentiary Panel that handled my case was chosen by Vanessa Windham which I had no say in their selection. She chose the panel because she wanted a conviction and believed that with the President of the panel, Michael Phifer, her choice, she would definitely achieve her goal.

We started the hearing after that of the white Attorney. Attorney Vanessa was allowed to present her facts and evidence. Mr. Michael Phifer interrupted any and all my objections, and allowed any and all evidence from Attorney Vanessa Windham. I have always maintained that I had nothing to do with the complainant, have never met her or seen her, nor had anything whatsoever to do with taking her case. I did not know who took her case, I had no dealings whatsoever with the Nationwide insurance, had nothing to do with the settlement of the case. I have never met with Mr. Surinder Singh, who I saw for the first time at the hearing. Mr. Singh was allowed to lie under oath. Mr. Surinder Singh claimed that I was involved in taking the injury case which was outright false. Vanessa Windham colluded with Mr. Singh to lie under oath, after coaching him on what to say. Mr. Singh could not even pronounce my name.

During cross examination, Mr. Singh was asked to present the contractual agreement he was given when he hired someone to represent him. He lied under oath that he was not given a contract. He was able to present all documents with his complaint that he sent to the State Bar, but had no written contract of representation of his case. I find this ironic and disturbing. How can he justify that he hired someone to represent him if he has no contractual agreement?. Attorney Vanessa Windham asked him to hold back the written contract, which would have

shown that I had nothing to do with case, just to tie me to a case, which I had nothing whatsoever to do with. I remind myself that it is sufficient that I know what I know and know that without believing that I will always know what I know or that what I know will always be true. I do not need to know all things. I requested that he produce the contract, to authenticate his testimony, but was waived by the president of the panel. This is a brazen violation of the rules. I have learned that unanimity towards a certain factor or social group of the society covers up a multitude of hate and atrocities. When truth cannot be told and where honesty is deserving and denied, we have lost the respect and trust of the system. If the Evidentiary panel can condone such action, why are we having a hearing when it is believed that they have already made up their man to destroy a black man because of the color of his skin and his strange name. It is justifying the status quo and lending a veneer of science to social inequality. We have to redirect the stereotyped impression that anything higher that we aspired to was farcical and presumptuous into a more honorable endeavors to spite the insidious person. If Attorney Vanessa Windham is allowed to coach a witness to lie under oath and get away with it, we have created a public nuisance that will spread the news to others that they have Attorney that works for State Bar, that will help them lie against an Attorney and falsely get a conviction against the Attorney.

What a mess we have created because of hate and prejudice for a fellow human being. The hearing was getting late and you could see that some of the panel members were eager to go home. The President then rescheduled the hearing for the 19th of August 2015.

On the 19th of August 2015, immediately I stepped into the State Bar building, I was accosted by two men, with guns, who ushered me into a room and commanded that I remove my cloths, that Attorney Vanessa Windham is of the opinion that I was caring a gun into the hearing. I succumbed to their search; they search my body and my luggage and found nothing. This is not only outrageous but disturbing. One of the men gave me his card, which is attached and incorporated for ease of reference as **Exhibit "E"**. Their impression is that a black man is a worthless creature that has no value for life and the lives of others.

There is a disparity between the handling of cases against a black Attorney by the State Bar and white Attorney. The white Attorney who had a hearing on the 12th of August 2015, was not searched because I was there when he walked in for his hearing, but I, a black man was humiliated, violated and believed to be a vagabond. This is a Federal issue that I will take up at a later time. With all my educational background and achievements, a black man look upon with contempt, no respect, no matter your achievements in life. The armed men not

only stripped and searched me, one of them sat through the hearing. What a disgrace and denigration to a black man. The size and power of our adversaries were not greater than our capabilities. People think that we are a special breed with immunity from human frailties. I have always been taught that the quality of strength lined with tenderness is an unbeatable combination as are intelligence and necessity when unblunted by formal education. I am what I am, and that is God's creation, which I am very proud and contented with what I have become by the Grace of Almighty God.

As the servant of Almighty God, The book of James says; My brethren, count it all joy when you fall into various trials, knowing that the testing of your faith produces patience, but let patience have its perfect work, that you may be perfect and complete, lacking nothing. I will not allow hatred from people to get to me. I am the son of the most High God, what can man do to me!.

When an individual who in their life time, never expected to attain a position of authority, and she is accorded one, she started acting as God. Her stand is my way or the highway. It invokes their biases and prejudices, bringing out the worse in them, destroying lives and anything that stands in their path. We have a serious problem.

BRIEF OF THE ARGUMENT

In reviewing the order of the administrative agency under the substantial evidence rule, the reviewing court may go further than to examine the evidence to determine whether such evidence is not substantial because it is incredible, perjured, or unreasonable, unless there is simply no evidence to support the judgment. *Fireman's and Policeman's Civil Service Commission v. Brinkmeyer*, 662 S.W. 2d 953, 956 (Tex. 1984)

There is no competent evidence (more than a scintilla) that Appellant's failed to release personal injury settlement funds to St. Luke Hospital a third person, between 2012 and 2014, was in violation of Rule i.14(b).

I have been unemployed since 2011. First, I was wrongly suspended which was supposed to run from 2011 to 2014, which was the Cassidy case. The Cassidy case was remanded by the Board of Disciplinary Appeals, but was abandoned by the State Bar of Texas because they knew they were wrong in prosecuting me. Further they lack the knowledge to continue the case. When the case of Jesuoba came up, they decided to give a draconian punishment to compensate for failing in the Cassidy case. The Jesuoba suspension was to run from 2012 through June 2016, which I have been looking forward to. I have been patient since 2011, stay away from the office, never received any rumination or any monetary compensation from the corporation whatsoever. Have never taken or spoken to any client whatsoever. I only signed checks when the office needed a check to be

disbursed out to a client as a refund and payments to Attorney's that worked on client's cases.

Lack of the knowledge of law is predicament to prosecuting Attorneys which was sadly obvious and frustrating with Attorney Vanessa Windham and the Evidentiary Panel. The Texas Legislative mandate is the law and not the opinion of the Evidentiary panel or Attorney Vanessa Windham. Substituting the law for one's biases and prejudices should not be tolerated in any judicial system. The impression and the opinion of Attorney Vanessa Windham and the Evidentiary panel, was that my suspension from the practice of law, requires the corporation to also close its doors.

A Corporation is a legal entity separate and distinct from its shareholders. Provisions of modern corporation statutes grant powers to corporations that are generally consistent with the notion that a corporation should be viewed as an entity in its own right. It is emphatically mandated by the Texas Legislative Statute, that under the Texas Revised Civil Statutes, professional corporation Act 1528e § 17, shall have continuity of life independent of the life or status of its shareholders. No shareholder shall have the power to dissolve the professional corporation by his independent act of any kind. Their expectations and conjectures cannot and should not be the law. They cannot reinvent the wheels of the law and used it against any person, contrary to the law.

The Texas Revised Civil Statutes of the professional corporation Act; Art. 1528e § 16, emphatically states that when the professional relationship between a person rendering professional service and a person receiving such service develops into errors, omissions, negligence, incompetence or malfeasance, the corporation, not the individual shareholders, officers, or directors shall be jointly and severally liable.

On April 17th 2014, when a complaint was received from the state bar for non-payment of a third part's fees, it was immediately paid, which any person of good faith should take as a resolution of the case. Ms. Jennifer K Veltman whose position was the investigator agreed on those good faith principles of Business, but Attorney Vanessa Windham was determined to circumscribe the system and invoke her biases and prejudices into the case. I have never seen the complainant, nor met with her in any capacity whatsoever. I did not take her case, had no dealings whatsoever with her case, but Attorney Vanessa Windham's, in her virulent racist determination, took the case to prove that she has power to destroy a blackman's life with impunity.

There is absolute no evidence that I took complainant case, no evidence that I met with the complainant, no evidence that I signed any contractual agreement with the complainant, no evidence that I had any correspondence with

the Nationwide insurance, no evidence that I had any negotiation for settlement with Nationwide insurance, no evidence that I signed the disbursement agreement. This is absolutely a case of looking for a scapegoat by a racist at her worse mannerism. What she wanted to do is tie me to a case in which I have nothing whatsoever to do with. Her words were since I own the law firm, then liability falls on me. A lack of knowledge of the law does not justify injustice to a person who has no part of a transaction. Further, a corporation as a legal entity separate and distinct from its shareholders. Corporation statutes grant powers to corporations that are generally consistent with the notion that a corporation should be viewed as an entity in its own right. Shareholders clearly do not "own" the property and assets of the corporation. A shareholder is simply one of numerous participants in the web of relationships; he is not an ultimate owner of the enterprise but merely a contributor of capital who is entitled to the residual economic value of the enterprise..

The Texas Business Corporation Act contains no indication than an incorporator may incur personal liability. As a practical matter, there appears to be little possibility of such liability. *V.A.T.S. Bus.Corp.Act, art. 10.02*. Further, a professional corporation shareholder has no duty to supervise the officers and employees of a corporation. *Vernon's Ann.Civ.St. art. 1528e, § 5.; Burnap v. Linnartz, 38 S.W.3d 612, 622 (Tex.App.-San Antonio 2000)*. Pursuant to Texas Revised Civil Statutes, activities not constituting transacting Business includes, maintaining bank accounts, maintaining offices or agencies for the transaction of business, effecting sales through independent contractors. Pursuant to Professional Act § 16, when there is a professional service

errors, omissions, negligence, incompetence or malfeasance, the corporation, (not the individual shareholders, officers or directors) shall be jointly and severally liable.

No shred of evidence that I violated Rule 1.14(b). Consequently, I respectfully request that Board of Disciplinary Appeals, in good faith and avoid calamitous injustice, revoke the judgment of disbarment. It is fraught with racial biases and prejudice. If the shepherd errs, she must be isolated from other shepherd, but woe unto us if the sheep begin to distrust the shepherd. It has become a trust issue with Attorney Vanessa Windham handling Evidentiary cases. Love and compassion is the answer to problems, not hate and prejudice to your fellow human being.

Whether or not there is any competent evidence (more than a scintilla) that Appellant violated any disciplinary or disability order or judgment, Rule 8.04(a)(7).

Since the year 2011, I have not practiced law, have not represented any client, have not taken any cases, never discussed any issues of representation with any person whatsoever. I have been financially and emotionally sustained by my family and friends all these years, looking forward to June 2016, to take again my position as a practicing Attorney. Any reasonable person of good faith, will see a trend of callous and despicable efforts by State Bar, to frustrate me in the practice of law. Suspension from 2011 to end 2014. Actively suspended again from 2012 through June 2016. Now disbarred, to complete their crucifix because of hatred and prejudice, to a fellow human being, for an alleged none criminal violation. We delude ourselves by denying the racial undercurrent of this time. It is justifying the status quo and lending a veneer of science

to social inequality. We must come to the dialogue table with honesty of purpose, our highest hopes and our worse fears must be stated very clearly and unequivocally.


Most horrifying aspect of this case, is that a white Attorney had a hearing before the Evidentiary Panel, the same day as mine, he was accorded utmost respect during the hearing. I was accosted by two men with guns, stripped, searched and dehumanized by the agents of State bar of Texas. The men informed me that, that Attorney Vanessa Windham is of the opinion that I had a gun. No gun was found on me. I was treated like a vagabond. No matter what your educational achievements, are as a black man, hatred and prejudice never fails to raise its ugly heads. I was violated, dehumanized and made a nonentity. This is a violation of my constitutional rights which I will take to the Federal Court when the time comes..

The two greatest gift Almighty God gave us his children are; Love Almighty God with all your heart, with all your mind and with all your soul; (2) Love your fellow human being as you love yourself. Hate condemns, hate disrupts and hate is a sin.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Appellant, prays that the Board of Disciplinary Appeals reverse and revoke the disbarment in this case and render Judgment that Appellee take nothing, as a matter of law. Appellant also prays for costs and such other relief as may be appropriate.

Respectfully Submitted,

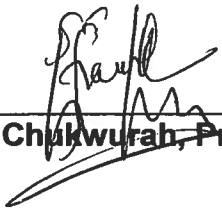


Cyril Chukwurah, Pro Se
No. 24048394
9888 Bissonet, Suite 300
Houston, Texas 77036
832-681-0083

CERTIFICATE OF SERVICE

I hereby certify that a copy of Respondent's Appeal brief has been served upon all intended counsel of record on the 8th of September 2015 by hand delivery /certified mail return receipt requested or fax transmission.

**Vanessa Windham
Assistant Disciplinary Counsel
State Bar of Texas
600 Jefferson, Suite 1000
Houston, Texas 77002**



Cyril Chukwurah, Pro Se

APPENDIX

FILED

AUG 25 2015

STATE BAR OF TEXAS
HOUSTON CDC

BEFORE THE DISTRICT 4 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 4-6
STATE BAR OF TEXAS

COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner

v.

CYRIL OKEY CHUKWURAH,
Respondent

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§

201402059 [ARSHDEEP KAUR]

HARRIS COUNTY, TEXAS

JUDGMENT OF DISBARMENT

Parties and Appearance

On August 12, 2015 and August 19, 2015, came to be heard the above styled and numbered cause. Petitioner, Commission for Lawyer Discipline, appeared by and through its attorney of record and announced ready. Respondent, Cyril Okey Chukwurah, Texas Bar Number 24048394, appeared in person and through attorney of record and announced ready.

Jurisdiction and Venue

The Evidentiary Panel 4-6, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 4, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Professional Misconduct

The Evidentiary Panel, having considered all of the pleadings, evidence, stipulations and argument, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

The Evidentiary Panel, having considered the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in or maintains his principal place of practice in Harris County, Texas.
3. Respondent failed to promptly deliver to Arshdeep Kaur and to St. Luke's Vintage Hospital funds that they were entitled to receive.
4. Respondent violated the disciplinary judgments entered in Case No. H0071031213, *Commission for Lawyer Discipline v. Cyril O. Chukwurah*, and Case No. H0041132816, *Commission for Lawyer Discipline v. Cyril O. Chukwurah*.
5. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of \$4,442.75.

Conclusions of Law

The Evidentiary Panel concludes that, based on foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: Rules 1.14(b) and 8.04(a)(7).

Sanction

The Evidentiary Panel, having found Respondent committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and arguments, the Evidentiary Panel considered the past disciplinary record of the Respondent. Respondent's past disciplinary record was extensive, including a four-year active suspension from the practice of law that was ordered in 2012. The Evidentiary Panel also heard Respondent's own testimony that his law office has continued to remain open for business during the entire time that Respondent has been actively suspended from the practice of law over the past several years. Although Respondent has denied engaging in the

practice of law during his active suspension, evidence and exhibits introduced at the Evidentiary Hearing established that Respondent continued to engage in the practice of law while being actively suspended. Based upon all the testimony and evidence, based upon Respondent's failure to comply with past suspension orders, and after having considered the factors in Rule 2.18 of the Texas Rule of Disciplinary Procedure, the Evidentiary Panel finds that proper discipline of the Respondent for each act of Professional Misconduct is DISBARMENT.

Disbarment

It is therefore ORDERED, ADJUDGED and DECREED that effective August 21, 2015, Respondent, Cyril Okey Chukwurah, State Bar Number 24048394, is hereby DISBARRED from the practice of law in the State of Texas.

It is further ORDERED Respondent is prohibited from practicing law in Texas, holding himself out as an attorney at law, performing any legal services 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 administrative body or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer," or "law firm," including "Chukwurah's Law Firm."

Notification

It is further ORDERED Respondent shall immediately notify each of the current clients of Chukwurah's Law Firm, P.C. in writing of this disbarment. In addition to such notification, Respondent is ORDERED to return any files, papers, unearned monies and other property belonging to clients and former clients of Chukwurah's Law Firm, P.C. in the Respondent's possession to the respective clients or former clients or to another attorney at the client's or former client's request. Respondent is further ORDERED to file with the State Bar of Texas, Chief Disciplinary Counsel's

Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) within thirty (30) days of the signing of this judgment by the Panel Chair, an affidavit stating that all current clients have been notified of Respondent's disbarment and that all files, papers, monies and other property belonging to all clients and former clients have been returned as ordered herein.

It is further ORDERED Respondent shall, on or before thirty (30) days from the signing of this judgment by the Panel Chair, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Chukwurah's Law Firm, P.C. 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) Chukwurah's Law Firm, P.C. is representing. Respondent is further ORDERED to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the signing of this judgment by the Panel Chair, an affidavit stating that each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice has received written notice of the terms of this judgment.

Surrender of License

The Evidentiary Panel notes that Respondent's law license and permanent State Bar Card were previously surrendered to the Supreme Court of Texas.

Attorneys' Fees and Expenses

It is further ORDERED Respondent shall pay all reasonable and necessary attorneys' fees and direct expenses to the State Bar of Texas in the amount of \$4,442.75. The payment shall be due and payable on or before sixty (60) days from the signing of this judgment by the Panel Chair, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds,

made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further ORDERED that all amounts ordered herein are due to the misconduct of Respondent and are assessed as a part of the sanction in accordance with Rule 1.06(Z) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

Publication

It is further ORDERED this disbarment shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Conditions Precedent to Reinstatement

It is further ORDERED that payment of the foregoing restitution and attorneys' fees and expenses amounts shall be a condition precedent to any consideration of reinstatement from disbarment as provided by Rules 2.19, 2.20 and 11.02(D) of the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 21st day of August, 2015.

EVIDENTIARY PANEL
DISTRICT NO. 4
STATE BAR OF TEXAS



MICHAEL L. PHIFER
District 4-6 Presiding Member

EXHIBIT "A"

SEC. 328(h) [8 USC § 1439(h)]

(h)⁷⁴⁵ The Director of United States Citizenship and Immigration Services shall submit an annual report to the Subcommittee on Immigration, Border Security, and Refugees and the Subcommittee on Homeland Security of the Senate and the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law and the Subcommittee on Homeland Security of the House of Representatives that identifies every application filed under subsection (a), subsection (b) or (d) of section 319, section 329(a), or section 329A that is not processed and adjudicated within 1 year after it was filed due to delays in conducting required background checks.

NATURALIZATION THROUGH ACTIVE-DUTY SERVICE IN THE ARMED FORCES DURING WORLD WAR I, WORLD WAR II, THE KOREAN HOSTILITIES, THE VIETNAM HOSTILITIES, OR IN OTHER PERIODS OF MILITARY HOSTILITIES⁷⁴⁶

SEC. 329. [8 USC § 1440]**SEC. 329(a) [8 USC § 1440(a)]**

(a)⁷⁴⁷ Any person who, while an alien or a noncitizen national of the United States, has served honorably as a member of the Selected Reserve of the Ready Reserve or in an active-duty status in the military, air, or naval forces of the United States during either World War I or during a period beginning September 1, 1939, and ending December 31, 1946, or during a period beginning June 25, 1950, and ending July 1, 1955, or during a period beginning February 28, 1961, and ending on a date⁷⁴⁸ designated by the President by Executive order as of the date of termination of the Vietnam hostilities, or thereafter during any other period which the President by Executive order shall designate as a period in which Armed Forces of the United States are or were engaged in military operations involving armed conflict with a hostile foreign force, and who, if separated from such service, was separated under honorable conditions, may be naturalized as provided in this section if (1) at the time of enlistment or induction such person shall have been in the United States, the Canal Zone, American Samoa, or Swains Island, whether or not he has been lawfully admitted to the United States for permanent residence, or (2) at any time subsequent to enlistment or induction such person shall have been lawfully admitted to the United States for permanent residence.⁷⁴⁹ The executive department under which such person served shall determine whether separation from such service was under honorable conditions: Provided, however, That no person who is or has been separated from such service on account of alienage, or who was a conscientious objector who performed no military, air, or naval duty whatever or refused to wear the uniform, shall be regarded as having served honorably or having been separated under honorable conditions for the purposes of this section. No period of service in the Armed Forces shall be made the basis of an application for naturalization under this section if the applicant has previously been naturalized on the basis of the same period of service.

⁷⁴⁵ Section 328(h) was added by § 3(a) of Military Personnel Citizenship Processing Act, Pub. L. 110-382, 122 Stat. 4087, Oct. 9, 2008. The "Sunset Provision" in § 4 declares that "this Act and the amendments made by this Act are repealed on the date that is 5 years after the date of the enactment of this Act," i.e., 5 years from Oct. 9, 2008.

⁷⁴⁶ Section 329 was amended by Pub. L. 87-301, 75 Stat. 654, Sept. 26, 1961; by Pub. L. 90-633, 82 Stat. 1344, Oct. 24, 1968; by Pub. L. 97-116, 95 Stat. 1611, Dec. 29, 1981; and by § 407 of the Immigration Act of 1990, Pub. L. 101-649, 104 Stat. 4978, Nov. 29, 1990.

⁷⁴⁷ Section 329(a) was amended, by adding language in the first sentence so as to extend coverage of naturalization also to any "member of the Selected Reserve of the Ready Reserve", by § 1702 of Pub. L. 108-136, 117 Stat. 1392, Nov. 24, 2003, effective, pursuant to § 1705(a), "as if enacted on September 11, 2001."

⁷⁴⁸ This ending date as designated by the President as the date of termination of Vietnam hostilities is Oct. 15, 1978. See Executive Order No. 12081, 43 FR 42237.

⁷⁴⁹ Pursuant to § 405 of the Immigration Act of 1990, Pub. L. 101-649, 104 Stat. 4978, Nov. 29, 1990, the requirements of clauses (1) and (2) of section 329(a) are not applicable to certain natives of the Philippines because of the specified active-duty service during World War II, provided that they apply for naturalization during the 2-year period beginning November 29, 1990. Pursuant to § 408(f) of this amending statute, § 405 "shall become effective on May 1, 1991, without regard to whether regulations to implement such section have been issued by such date."

SEC. 329(b) [8 USC § 1440(b)]

(b)⁷⁵⁰ A person filing an application under subsection (a) of this section shall comply in all other respects with the requirements of this title, except that—

(1) he may be naturalized regardless of age, and notwithstanding the provisions of section 318 as they relate to deportability and the provisions of section 331;

(2) no period of residence or specified period of physical presence within the United States or any State or district of the Service in the United States shall be required;

(3) service in the military, air, or naval forces of the United States shall be proved by a duly authenticated certification from the executive department under which the applicant served or is serving, which shall state whether the applicant served honorably in active-duty status during either World War I or during a period beginning September 1, 1939, and ending December 31, 1946, or during a period beginning June 25, 1950, and ending July 1, 1955, or during a period beginning February 28, 1961, and ending on a date designated by the President by Executive order as the date of termination of the Vietnam hostilities, or thereafter during any other period which the President by Executive order shall designate as a period in which Armed Forces of the United States are or were engaged in military operations involving armed conflict with a hostile foreign force, and was separated from such service under honorable conditions; and

(4) notwithstanding any other provision of law, no fee shall be charged or collected from the applicant for filing a petition for naturalization or for the issuance of a certificate of naturalization upon citizenship being granted to the applicant, and no clerk of any State court shall charge or collect any fee for such services unless the laws of the State require such charge to be made, in which case nothing more than the portion of the fee required to be paid to the State shall be charged or collected.

SEC. 329(c) [8 USC § 1440(c)]

(c)⁷⁵¹ Citizenship granted pursuant to this section may be revoked in accordance with section 340 if the person is separated from the Armed Forces under other than honorable conditions before the person has served honorably for a period or periods aggregating five years. Such ground for revocation shall be in addition to any other provided by law, including the grounds described in section 340. The fact that the naturalized person was separated from the service under other than honorable conditions shall be proved by a duly authenticated certification from the executive department under which the person was serving at the time of separation. Any period or periods of service shall be proved by duly authenticated copies of the records of the executive departments having custody of the records of such service.

SEC. 329(d) [8 USC § 1440(d)]

(d) [Repealed.]⁷⁵²

[Supreme Court: *Fong v. United States*, 359 U. S. 102; 79 S. Ct. 637; 3 L. Ed. 2d 662 (1959)] (The court affirmed an order of the Second Circuit Court of Appeals, 254 F.2d 4, denying petitioner's request for naturalization under 8 USC § 1440a, § 1 of the Act of June 30, 1953 [no such exact provision exists in the current version of INA], because the statute required that petitioner must have been lawfully admitted to the United States prior to entering into the U.S. Armed Forces. 8 USC § 1440a), which provided for the naturalization of aliens who served at least 90 days in the Armed Forces between June 24, 1950, and July 1, 1955, (1) having been lawfully admitted to the United States for permanent residence, or (2) having been lawfully admitted to the United States, and having been physically present within the United States for a single period of at least one year at the time of entering the Armed Forces. Specifically, the Court **held**:

⁷⁵⁰ Section 329(b) was amended to add paragraph (4), by § 1701(b)(2) of Pub. L. 108-136, 117 Stat. 1392, Nov. 24, 2003, effective, pursuant to § 1705(b), "relating to naturalization proceedings overseas Oct. 1, 2004."

⁷⁵¹ Section 329(c) was amended to read as it now exists by § 1701(c)(1)(B) of Pub. L. 108-136, 117 Stat. 1392, Nov. 24, 2003, effective, pursuant to § 1701(c)(2), "to citizenship granted on or after the date of the enactment of this Act", and pursuant to § 1705(a), "as if enacted on September 11, 2001."

⁷⁵² Subsection (d) was repealed by § 9(y) of the Immigration Technical Corrections Act of 1988, Pub. L. 100-525, 102 Stat. 2609, Oct. 24, 1988.

POSTHUMOUS CITIZENSHIP THROUGH DEATH WHILE ON ACTIVE-DUTY SERVICE IN THE ARMED FORCES DURING WORLD WAR I, WORLD WAR II, THE KOREAN HOSTILITIES, THE VIETNAM HOSTILITIES, OR IN OTHER PERIODS OF MILITARY HOSTILITIES⁷⁵³

SEC. 329A. [8 USC § 1440-1]

SEC. 329A(a) [8 USC § 1440-1(a)]

(a) *Permitting granting of posthumous citizenship.*—Notwithstanding any other provision of this title, the Secretary of Homeland Security shall provide, in accordance with this section, for the granting of posthumous citizenship at the time of death to a person described in subsection (b) if the Secretary of Homeland Security approves an application for that posthumous citizenship under subsection (c).

(b) *Noncitizens eligible for posthumous citizenship.*—A person referred to in subsection (a) is a person who, while an alien or a noncitizen national of the United States—

(1) served honorably in an active-duty status in the military, air, or naval forces of the United States during any period described in the first sentence of section 329(a),

(2) died as a result of injury or disease incurred in or aggravated by that service, and

(3) satisfied the requirements of clause (1) or (2) of the first sentence of section 329(a).

(4) The executive department under which the person so served shall determine whether the person satisfied the requirements of paragraphs (1) and (2).

SEC. 329A(c) [8 USC § 1440-1(c)]

(c)⁷⁵⁴ *Requests for Posthumous Citizenship.*—

(1) *In general.*—A request for the granting of posthumous citizenship to a person described in subsection (b) may be filed on behalf of that person—

(A) upon locating the next-of-kin, and if so requested by the next-of-kin, by the Secretary of Defense or the Secretary's designee with the Bureau of Citizenship and Immigration Services in the Department of Homeland Security immediately upon the death of that person; or

(B) by the next-of-kin.

(2) *Approval.*—The Director of the Bureau of Citizenship and Immigration Services shall approve a request for posthumous citizenship filed by the next-of-kin in accordance with paragraph (1)(B) if—

(A) the request is filed not later than 2 years after—

(i) the date of enactment of this section; or

(ii) the date of the person's death; whichever date is later;

(B) the request is accompanied by a duly authenticated certificate from the executive department under which the person served which states that the person satisfied the requirements of paragraphs (1) and (2) of subsection (b); and

(C) the Director finds that the person satisfied the requirement of subsection (b)(3).; and

SEC. 329A(d) [8 USC § 1440-1(d)]

(d) *Documentation of Posthumous Citizenship.*—If the Director of the Bureau of Citizenship and Immigration Services approves the request referred to in subsection (c), the Director shall send to the next-of-kin of the person who is granted citizenship, a suitable document which states that the United States considers the person to have been a citizen of the United States at the time of the person's death.

⁷⁵³ Section 329A was added by the Posthumous Citizenship for Active Duty Service Act of 1989, Pub. L. 101-249, 104 Stat. 94, March 6, 1990. It was amended to substitute "Secretary of Homeland Security" for "Attorney General", by § 1703(g)(2) of Pub. L. 108-136, 117 Stat. 1392, Nov. 24, 2003, effective, pursuant to § 1705(a), "as if enacted on September 11, 2001."

⁷⁵⁴ Section 329A(c) was first amended by § 11030 of the DOJ Appropriations Authorization Act (the "Posthumous Citizenship Restoration Act of 2002,"), Pub. L. 107-273, 116 Stat. 1758, Nov. 2, 2002. Sections 329A(c) and (d) were completely re-written by § 1704 of Pub. L. 108-136, 117 Stat. 1392, Nov. 24, 2003, effective, pursuant to § 1705(a), "as if enacted on September 11, 2001."



U.S. Department of Homeland Security
Immigration and Customs Enforcement

Office of the Chief Counsel

126 Northpoint Drive
Houston, Texas 77060

July 28, 2011

*mailed 8/5/11
mtg*

Jai L. Jones
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas
600 Jefferson, Suite 1000
Houston, TX 77002

Re: Subpoenas - Your Case No. H0071031213

Dear Ms. Jones:

I am in receipt of your letter of July 26, 2011, as well as the subpoenas previously issued on or about June 28, 2011. This letter contains U.S. Immigration and Customs Enforcement's ("ICE") response to the requests for witness testimony and document production. ICE returned the \$31 attached to the subpoenas through your courier yesterday and expects that the money arrived safely back to you. Given this response and based on the regulations and law cited below, I am also asking that you withdraw the subpoenas that were sent to ICE and its employees.

As we previously discussed, ICE as a federal agency is not subject to the mandate of state law, particularly when the state law conflicts with federal law. The DHS's regulations bar all DHS employees from providing documents or oral or written testimony relating to information acquired while such person was an employee of DHS, unless authorized to do so by the DHS Office of General Counsel or its designees. See 6 C.F.R. § 5.44. In addition, DHS regulations require the party seeking testimony or documents to first set forth in writing, with as much specificity as possible, the nature and relevance of the information sought. See 6 C.F.R. § 5.45.

In this case, ICE has considered the relevant factors and has determined that compliance with your request for documents and witnesses would be not be unduly burdensome or otherwise inappropriate; compliance is appropriate under the relevant substantive law concerning privilege or disclosure of information; the public interest favors such disclosure; the time of DHS employees for the conduct of official business is appropriately spent in this case; and that involvement of the DHS in this case is related to its mission. See 6 C.F.R. § 5.48(a).



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The DHS's response to your requests is as follows:

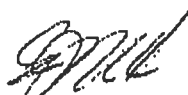
Document Request: Documents related to Erik Hernandez's initial Notice to Appear, request for bond hearing and request for bond rehearing; documents filed on behalf of Erik Hernandez by attorney Cyril Chukwurah; and documents showing final disposition of Erik Hernandez after the July 7, 2010 hearing was concluded. Please see the attached 74 pages, with redactions to protect against disclosure of information that is sensitive and not responsive to your requests. As indicated previously in discussion, ICE is not sending the entire A-file. Records from the A-file are being released to you as permitted by 76 Fed. Reg. 34233, 34238 (June 13, 2011) (Notice) as documents that are relevant and necessary to your deliberations as a state agency concerning a license.

Request for the Testimony of D'Anna Harrison - September 1, 2011: While you have not stated in writing the scope of the testimony you are seeking, it is ICE's understanding that you will be seeking the facts Ms. Harrison became aware of during the hearing in immigration court with Erik Hernandez on July 7, 2010. Based on this understanding, Ms. Harrison is authorized to testify about the facts that she personally observed. Ms. Harrison is not authorized to provide opinion or expert testimony, or to discuss any other information she has received in the course of her duties as a DHS employee, including DHS internal procedures, the existence of any ongoing investigations, or the existence or non-existence of information relating to this or any other matter in DHS databases or record systems. Furthermore, she is not authorized to testify about any law enforcement techniques that are not generally known to the public. 6 C.F.R. §§ 5.48 & 5.49.

Request for the Testimony of Donald Cassidy - September 1, 2011: Again, while you have not provided a written statement of the scope of the testimony sought from Mr. Cassidy, ICE's understanding is that you are seeking information related to the grievance filed on or about July 8, 2010. Mr. Cassidy is authorized to testify about any facts that he personally observed. He is not authorized to provide opinion or expert testimony, or to discuss any other information he has received in the course of his duties as a DHS employee, including DHS internal procedures, the existence of any ongoing investigations, or the existence or non-existence of information relating to this or any other matter in DHS database or record systems. Furthermore, he is not authorized to testify about any law enforcement techniques that are not generally known to the public. 6 C.F.R. §§ 5.48 & 5.49.

Please let me know if you have any questions. I will be unavailable from August 1 until August 16, 2011, therefore, please contact Deputy Chief Counsel Monica Thompson if you need assistance prior to that date. Our office's main number is below.

Sincerely,



Erica McGuirk
Senior Attorney
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Office of the Chief Counsel
126 Northpoint, Rm. 2020
Houston, Texas 77060
(281) 931-2046

Enclosures: 74 pages

CFLD 000056

42

EXHIBIT "B"

Compose

    Delete  Move  More  

Inbox (73)

Drafts (35)

Spam (615)

Trash (53)

Smart Views

Unread

Starred

People

Social

Travel

Shopping

Finance

> Folders

> Recent

My Games



Recommended Games



More Games »

Re: 201402059 Arshdeep Kaur-Cyril O. Chukwurah

Cyril Chukwurah

May 9, 2014

To: Jennifer Veltman

Dear Ms. Veltman:

I have never had any contact with the complainant. Many Attorneys and staff have worked in the Firm and left and I could not tell you anything further because I was not running the affairs of the firm. It is a Law Firm in my name and the liability falls on me. It could be assumed that other bills you mentioned were paid, if not she could have presented them to you. Hope this satisfies your inquiries. I hope this makes this issue a closed case.

Thanks and God Bless you!

Cyril Chukwurah

Hide original message

From: Jennifer Veltman <Jennifer.Veltman@TEXASBAR.COM>

To: "cyril_chukwurah@yahoo.com" <cyril_chukwurah@yahoo.com>

Sent: Friday, May 9, 2014 7:08 AM

Subject: 201402059 Arshdeep Kaur-Cyril O. Chukwurah

Dear Mr. Chukwurah,

After reviewing your response, I am writing to request additional information from you.

Please provide copies of payment checks for the Complainant's remaining medical providers and lienholders (West Houston Radiology, City of Houston, Medical Center Em. Phys, Dr. Syed, and Dr. Garner).

Please explain the delay in providing the agreed payment to St. Luke's.

Please provide the requested information within seven (7) days of receiving this letter so that I may complete my investigation.

Thank you for your time and attention to this matter.

Sincerely,

Jennifer K. Veltman
Investigator
State Bar of Texas
600 Jefferson, Ste. 1000
Houston, TX 77002
Phone (713) 758-8200
Fax (713) 758-8292

or

|

4/27/2014
Cyril Chukwurah
9894 Bissonet Street, Suite 740
Houston, Texas 77036

RECEIVED

MAY 06 2014

STATE BAR OF TEXAS
HOUSTON CDC

Via Certified Mail and Return Receipt Requested
St. Luke's Episcopal Health
P.O. Box 20805
Houston, Texas 77225-0805

Re: Arshdeep Kaur
7150 Smiling Wood Lane
Apartment 206
Houston, Texas 77086
Subject: Payment of Medical Bill
Account#: 11302-00089
Amount: Cashier Check for \$2,344.80

Dear Sir/Madam:

Please find Cashier Check for the sum of \$2,344.80, for the full and final payment of Ms. Arshdeep Kaur's Medical Bill.

Thanks

Sincerely


Cyril Chukwurah

45
EXHIBIT

tabbles®
27

25



Cashier's Check

No. 1663800613

Notice to Purchaser - In the event that this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

Void After 90 Days

30-1/1/140

Date 05/05/14 09:10:14 AM

NTX

WESTWOOD

0012 0005138 0065



***\$2,344.80

To The
Order Of ST LUKE'S EPISCOPAL HEALTH SYSTEM

Remitter (Purchased By): CHUKWURAH'S LAW FIRM, PC

Bank of America, N.A.
SAN ANTONIO, TX

AUTHORIZED SIGNATURE

COPIES CAPTURED - ANTI-FRAUD PROTECTION

00-53-336-411 11-2010

⑈1663800613⑈ ⑆1114000019⑆ 001641003763⑈

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENTS.

EXHIBIT "C"

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

July 15, 2014

Sent Via CMRRR#: 7003 1680 0002 1637 0679

Mr. Cyril Okey Chukwurah
9894 Bissonnet Street
Suite 740
Houston, TX 77036-8287

Re: 201402059 Arshdeep Kaur - Cyril Okey Chukwurah

Dear Mr. Chukwurah:

The Office of Chief Disciplinary Counsel has completed its investigation of the above Complaint and determined on July 9, 2014 that there is Just Cause to believe that you have committed one or more acts of Professional Misconduct as defined by the Texas Rules of Disciplinary Procedure (TRDP).

In accordance with TRDP 2.14D, enclosed is a written notice of the acts and/or omissions engaged in by you and of the Texas Disciplinary Rules of Professional Conduct that the Chief Disciplinary Counsel contends have been violated by such conduct:

On or about October 31, 2011, Arshdeep Kaur and her father, Surinder Singh, hired Cyril Okey Chukwurah ("Respondent") for representation in their respective personal injury cases, which arose from a single automobile accident occurring on October 29, 2011. Respondent's fee was to be contingent on the outcome of the matters.

In or around February 2012, Respondent settled Arshdeep Kaur's case. In settlement of Kaur's case, Respondent received a settlement check from Nationwide Insurance Company in the amount of \$11,500.00.

Of this amount, Respondent and Kaur agreed that \$6,287.00 of the settlement funds would be used to pay Kaur's medical bills that were incurred as a result of the automobile accident that was the basis of Kaur's personal injury matter. Specifically, Respondent and Kaur agreed that \$90.00 would be paid to West Houston Radiology; \$3,908.00 would be paid to St. Luke's Vintage Hospital; \$1,050.00 would be paid to City of Houston; \$300.00 would be paid to "Medical Center Em. Phys;," \$134.00 would be paid to "Dr. Syed;" and \$805.00 would be paid to "Dr. Garner."

It was further agreed that that \$3,000.00 would be deducted from the settlement funds for Respondent's fee and case expenses.

Based on these agreements with Respondent, Complainant agreed to accept \$2,213.00 as her portion of the settlement funds. Complainant received a written distribution sheet from Respondent memorializing their agreements regarding the distribution of the settlement funds. On or about March 5, 2012, Complainant received a check from Respondent's firm in the amount of \$2,213.00.

Despite Respondent's representations in the written distribution sheet he provided Kaur, the funds designated for St. Luke's Vintage Hospital (\$3,908.00) were not timely paid to the hospital. The hospital's final bill of \$2,344.80 (the original amount of \$3,908.00 had been reduced) was not paid by Respondent until on or about May 5, 2014, subsequent to the filing of the instant grievance. The balance of \$1,563.20 ($\$3,908.00 - \$2,344.80 = \$1,563.20$) has not been returned to Kaur.

Furthermore, regarding the handling of Kaur's settlement funds, Respondent stated in his response to the instant grievance that he was not running the affairs of his law firm at the relevant time. Respondent failed to make reasonable efforts to ensure that his lawyer and nonlawyer staff's conduct was compatible with Respondent's professional obligations.

These alleged acts violate the following Texas Disciplinary Rules of Professional Conduct:

1.14(a)

A lawyer shall hold funds and other property belonging in whole or in part to clients or third persons that are in a lawyer's possession in connection with a representation separate from the lawyer's own property. Such funds shall be kept in a separate account, designated as a "trust" or "escrow" account, maintained in the state where the lawyer's office is situated, or elsewhere with the consent of the client or third person. Other client property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.

1.14(b)

Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in

this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.

1.14(c)

When in the course of representation a lawyer is in possession of funds or other property in which both the lawyer and another person claim interests, the property shall be kept separate by the lawyer until there is an accounting and severance of their interest. All funds in a trust or escrow account shall be disbursed only to those persons entitled to receive them by virtue of the representation or by law. If a dispute arises concerning their respective interests, the portion in dispute shall be kept separated by the lawyer until the dispute is resolved, and the undisputed portion shall be distributed appropriately.

5.01(a)

A lawyer shall be subject to discipline because of another lawyer's violation of these rules of professional conduct if: the lawyer is a partner or supervising lawyer and orders, encourages, or knowingly permits the conduct involved.

5.03(a)

With respect to a nonlawyer employed or retained by or associated with a lawyer: a lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer.

5.03(b)(1)

With respect to a nonlawyer employed or retained by or associated with a lawyer: a lawyer shall be subject to discipline for the conduct of such a person that would be a violation of these rules if engaged in by a lawyer if: the lawyer orders, encourages, or

permits the conduct involved.

5.03(b)(2)

With respect to a nonlawyer employed or retained by or associated with a lawyer: the lawyer: (i) is a partner in the law firm in which the person is employed, retained by, or associated with; or is the general counsel of a government agency's legal department in which the person is employed, retained by or associated with; or has direct supervisory authority over such person; and (ii) with knowledge of such misconduct by the nonlawyer knowingly fails to take reasonable remedial action to avoid or mitigate the consequences of that person's misconduct.

8.04(a)(3)

A lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

Pursuant to TRDP 2.15, you must notify this office whether you elect to have the Complaint heard by an Evidentiary Panel of the District Grievance Committee or in a district court of proper venue, with or without a jury. **The election must be in writing and served upon the Chief Disciplinary Counsel's office no later than twenty (20) days after your receipt of this notice.** Failure to file a timely election shall conclusively be deemed an affirmative election to proceed before an Evidentiary Panel in accordance with TRDP 2.17 and 2.18.

Enclosed is a form in which to indicate your election and principal place of practice. It should be mailed to the undersigned at the address shown at the bottom of this letter. In making your election, you should be aware that an Evidentiary Panel proceeding is confidential unless a public sanction is entered and that a **private reprimand is only available before an Evidentiary Panel.** District court proceedings are public and a private reprimand is not an available sanction.

If you would like to discuss a resolution of this matter prior to the filing of a disciplinary or evidentiary petition, please contact the undersigned at the phone number listed below.

Sincerely,



Vanessa G. Windham
Assistant Disciplinary Counsel

Mr. Cyril Okey Chukwurah

July 15, 2014

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Enclosure: Respondent's Election and Principal Place of Practice Certification

VGW/cv

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

July 15, 2014

Sent Via CMRRR#: 7003 1680 0002 1637 0679

Mr. Cyril Okey Chukwurah
9894 Bissonnet Street
Suite 740
Houston, TX 77036-8287

Re: 201402059 Arshdeep Kaur - Cyril Okey Chukwurah

Dear Mr. Chukwurah:

The Office of Chief Disciplinary Counsel has completed its investigation of the above Complaint and determined on July 9, 2014 that there is Just Cause to believe that you have committed one or more acts of Professional Misconduct as defined by the Texas Rules of Disciplinary Procedure (TRDP).

In accordance with TRDP 2.14D, enclosed is a written notice of the acts and/or omissions engaged in by you and of the Texas Disciplinary Rules of Professional Conduct that the Chief Disciplinary Counsel contends have been violated by such conduct:

On or about October 31, 2011, Arshdeep Kaur and her father, Surinder Singh, hired Cyril Okey Chukwurah ("Respondent") for representation in their respective personal injury cases, which arose from a single automobile accident occurring on October 29, 2011. Respondent's fee was to be contingent on the outcome of the matters.

In or around February 2012, Respondent settled Arshdeep Kaur's case. In settlement of Kaur's case, Respondent received a settlement check from Nationwide Insurance Company in the amount of \$11,500.00.

Of this amount, Respondent and Kaur agreed that \$6,287.00 of the settlement funds would be used to pay Kaur's medical bills that were incurred as a result of the automobile accident that was the basis of Kaur's personal injury matter. Specifically, Respondent and Kaur agreed that \$90.00 would be paid to West Houston Radiology; \$3,908.00 would be paid to St. Luke's Vintage Hospital; \$1,050.00 would be paid to City of Houston; \$300.00 would be paid to "Medical Center Em. Phys.;" \$134.00 would be paid to "Dr. Syed;" and \$805.00 would be paid to "Dr. Garner."

It was further agreed that that \$3,000.00 would be deducted from the settlement funds for Respondent's fee and case expenses.

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Furthermore, regarding the handling of Kaur's settlement funds, Respondent stated in his response to the instant grievance that he was not running the affairs of his law firm at the relevant time. Respondent failed to make reasonable efforts to ensure that his lawyer and nonlawyer staff's conduct was compatible with Respondent's professional obligations.

These alleged acts violate the following Texas Disciplinary Rules of Professional Conduct:

- 1.14(a) A lawyer shall hold funds and other property belonging in whole or in part to clients or third persons that are in a lawyer's possession in connection with a representation separate from the lawyer's own property. Such funds shall be kept in a separate account, designated as a "trust" or "escrow" account, maintained in the state where the lawyer's office is situated, or elsewhere with the consent of the client or third person. Other client property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.
- 1.14(b) Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in

this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.

1.14(c)

When in the course of representation a lawyer is in possession of funds or other property in which both the lawyer and another person claim interests, the property shall be kept separate by the lawyer until there is an accounting and severance of their interest. All funds in a trust or escrow account shall be disbursed only to those persons entitled to receive them by virtue of the representation or by law. If a dispute arises concerning their respective interests, the portion in dispute shall be kept separated by the lawyer until the dispute is resolved, and the undisputed portion shall be distributed appropriately.

5.01(a)

A lawyer shall be subject to discipline because of another lawyer's violation of these rules of professional conduct if: the lawyer is a partner or supervising lawyer and orders, encourages, or knowingly permits the conduct involved.

5.03(a)

With respect to a nonlawyer employed or retained by or associated with a lawyer: a lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer.

5.03(b)(1)

With respect to a nonlawyer employed or retained by or associated with a lawyer: a lawyer shall be subject to discipline for the conduct of such a person that would be a violation of these rules if engaged in by a lawyer if: the lawyer orders, encourages, or

permits the conduct involved.

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8.04(a)(3)

A lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

Pursuant to TRDP 2.15, you must notify this office whether you elect to have the Complaint heard by an Evidentiary Panel of the District Grievance Committee or in a district court of proper venue, with or without a jury. **The election must be in writing and served upon the Chief Disciplinary Counsel's office no later than twenty (20) days after your receipt of this notice.** Failure to file a timely election shall conclusively be deemed an affirmative election to proceed before an Evidentiary Panel in accordance with TRDP 2.17 and 2.18.

Enclosed is a form in which to indicate your election and principal place of practice. It should be mailed to the undersigned at the address shown at the bottom of this letter. In making your election, you should be aware that an Evidentiary Panel proceeding is confidential unless a public sanction is entered and that a **private reprimand is only available before an Evidentiary Panel.** District court proceedings are public and a private reprimand is not an available sanction.

If you would like to discuss a resolution of this matter prior to the filing of a disciplinary or evidentiary petition, please contact the undersigned at the phone number listed below.

Sincerely,



Vanessa G. Windham
Assistant Disciplinary Counsel

Mr. Cyril Okey Chukwurah

July 15, 2014

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Enclosure: Respondent's Election and Principal Place of Practice Certification

VGW/cv

EXHIBIT "D"

Bank of America
DE5-024-02-08
P.O. Box 15047
Wilmington, DE 19850

January 05, 2015

TEXAS IOLTA TRUST ACCOUNTS CHUKWURAH'S LAW FIRM, PC
9888 BISSONNET ST STE 300
HOUSTON, TX 77036-8296

Regarding reference number: D122314000413
Case: CYRIL CHUKWURAH
Customer Name: CHUKWURAH'S LAW FIRM, PC

RE: NOTICE OF LEGAL PROCESS

We've received a subpoena, summons, or both, pertaining to the above referenced case. We're obligated to comply and produce the requested records and information. Unless we receive a court order ordering us not to do so, we will be producing the documents on January 20, 2014. If you wish to contest this request, you should consult with an attorney as soon as possible.

Please be advised that the party that issued the request does not disclose the reason for the request of your records. If you need further information, please contact the party that issued the request. Any questions or concerns you may have regarding this Subpoena, summons, or both, should be addressed directly with the requestor. We have listed the contact information below:

OFFICE OF THE CHIEF DISCIPLINARY COUNSEL
VANESSA WINDHAM
600 JEFFERSON, SUITE 1000
HOUSTON, TX 77002 713-758-8200

If you have any questions, please call us at 213-580-0702. We are available Monday through Friday 9 a.m. to 5 p.m. Local. If you need to forward any correspondence to us regarding this case, please mail it to the address listed above. When contacting us regarding this notice, please use the reference number listed above.

Legal Order Processing

1/13/14

AFFIDAVIT FOR BUSINESS RECORDS

THE STATE OF Iowa)

COUNTY OF Polk)

BEFORE ME, the undersigned authority, personally appeared Iranti Barnhart, who being by me duly sworn, deposed as follows:

"My name is Iranti Barnhart. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated, which are true.

I am a custodian of records of Nationwide Insurance Company of America. Attached hereto are 237 pages of records from Nationwide Insurance Company of America pertaining to Arshdeep Kaur and Surinder Singh, Claim No. 879416, date of loss October 29, 2011, insured Margie M. Castillo.

These said 237^{1 CD} pages of records are kept by Nationwide Insurance Company of America in the regular course of business, and it was the regular course of business of Nationwide Insurance Company of America for an employee or representative of Nationwide Insurance Company of America with knowledge of the act, event, condition, opinion or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original."

Iranti Barnhart
Affiant

SWORN TO AND SUBSCRIBED before me to certify which witness my hand and seal of office on the 16 day of January, 2015.

Commission stamp:



Misti Fisher
Notary Public



Bank of America Legal Order Processing
RE: Reference # D122314000413
Court Case number: 201402059
Court or Issuer: OFFICE OF THE CHIEF DISCIPLINARY COUNSEL
Court Case Name: CYRIL CHUKWURAH

AFFIDAVIT OF BANK OF AMERICA BANK OFFICER AND/OR CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared,
Rita Conde

Who, being duly sworn by me, deposes and says as follows:

- 1.) **Authority.** I, Rita Conde, am a duly authorized bank officer and/or custodian of the records of Bank of America N.A. with authority to execute this affidavit and certify to the authenticity and accuracy of the records produced with this affidavit.
- 2.) **Records.** The records produced herewith by Bank of America, N.A. are original documents or are true copies of records of a regularly conducted banking activity that
- a.) Were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;
 - b.) Were made and kept in the course of regularly conducted banking activity by Bank of America, N.A. personnel or by persons acting under their control; and
 - c.) Were made and kept by the regularly conducted activity of Bank of America N.A. as a regular practice, on or about the time of the act, condition, or event recorded.
- Additional Comments:**
- Signature card, deposits with offsets, canceled checks and bank statements for account number ending 4480 in the name of TEXAS IOLTA TRUST ACCOUNTS CHUKWURAH'S LAW FIRM, PC for the timeframe of February 2012 through November 2014. Some items produced electronically (CD).

3.) **Production. (Select One)**

☒ The records produced herewith (together with any banking records produced by Bank of America N.A. previously in response to the subject request, order, or subpoena) constitute a complete production of bank records responsive to the subject request order or subpoena (or a complete production under the terms of a subject request, order, subpoena as subsequently limited by the issuer).

OR

☐ A thorough search has been conducted and no records could be located that are responsive to the subject request, order, or subpoena.

4.) I declare under penalty of perjury that the foregoing is true and correct.

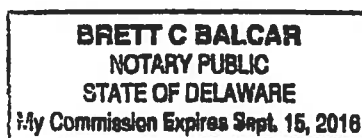
Date: 1/16/2015 Signature: Rita Conde

The above named Bank of America N.A. bank officer and/or custodian of records is known to me (or satisfactorily proven) to be the person who subscribed the within document and acknowledged to me that he/she executed the same for the purposes stated there in.

☒ Signer is personally known to me.

☐ Signer has produced the following identification: _____

Sworn to and subscribed before me this 16 day of January 2015, in witness thereof I have set my hand and official seal.



Brett Balcar
Signature of Notary Public in and for
State of DE
City/County of New Castle
My Commission Expires _____



EXHIBIT "E"



STATE BAR *of* TEXAS

600 Jefferson, Suite 1000
Houston, Texas 77002

George Uthe
Investigator

(713) 758-8200
Fax: (713) 758-8292
guthe@texasbar.com