



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

IN THE MATTER OF

**LAWRENCE E. DANIEL,
STATE BAR CARD NO. 05359900**

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CAUSE NO. 65307

JUDGMENT OF DISBARMENT

On the 30th day of July, 2021, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner, Commission for Lawyer Discipline, appeared by attorney and announced ready. Respondent, Lawrence E. Daniel, appeared in person. All questions of fact and all issues of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings and briefs 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, Lawrence E. Daniel, State Bar Card Number 05359900, is licensed and authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about June 8, 2017, Respondent was charged by Criminal Information, styled *State of Utah v. Lawrence Earl Daniel* DOB: September 22, 1960, in the Fifth District Court in and for Iron County, State of Utah, with the following:
 - A. Count 1 Securities Fraud, a second degree felony: “Commencing on or about August 2013, in the State of Utah, the defendant, in connection with the offer or sale of a security, directly or indirectly,

to Nola Croppi and/or Sean Manley, made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statement made, in light of the circumstances under which it was made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, and the property, money or thing unlawfully obtained or sought to be obtained was worth \$10,000 or more, in violation of Utah Code Ann. §§61-1-1 and 61-1-21.”

B. Count 2 Securities Fraud, a third degree felony: “Commencing on or about October 2013, in the State of Utah, the defendant, in connection with the offer or sale of a security, directly or indirectly, to Siroos Saifizadeh, made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statement made, in light of the circumstances under which it was made, not misleading; or engaged in an act, practice, or course of business which operated or would operate as a fraud or deceit, in violation of Utah Code Ann. §§61-1-1 and 61-1-21.”

- (3) On or about July 21, 2020, a Sentence, Judgment, Commitment was entered in Cause No. 171500332 FS, styled *State of Utah Attorney General v. Lawrence Earl Daniel*, in the Fifth District Court – Cedar, Iron County, State of Utah, wherein Respondent was found guilty and convicted of Securities Fraud – 2nd Degree Felony and Securities Fraud – 3rd Degree Felony. Based on Respondent’s conviction of Securities Fraud, a 2nd Degree Felony, Respondent was sentenced to a term of 17 days, with credit granted for 3 days of time previously served. In addition, Respondent was sentenced to a suspended prison term of not less than one year nor more than fifteen years, based on the 2nd degree felony conviction; and a suspended prison term not to exceed five years, based on the 3rd degree felony conviction. Respondent was also placed on probation for 36 months. Conditions of probation listed under the heading of “Order of Probation” include Respondent’s 17-day jail sentence and that Respondent not work in a securities or fiduciary role. Respondent was ordered to pay a sentence fine of \$106.00 by June 14, 2023.
- (4) Respondent was advised by the Fifth District Court – Cedar, Iron County, State of Utah, of his right to appeal but did not appeal the conviction.
- (5) Respondent, Lawrence E. Daniel, is the same person as the Lawrence Earl Daniel who is the subject of the Sentence, Judgment, Commitment described above.
- (6) On April 30, 2021, the Board issued an order granting Respondent’s motion for continuance, filed on April 29, 2021, the day before the case was set for hearing. That order reset the hearing for July 30, 2021, and ordered that

Respondent shall not take on any new clients and shall not possess or control client funds while the case remains pending. The order stated that “[f]urther continuance requests shall be disfavored.”

- (7) On July 29, 2021, the day before the case was set for hearing, Respondent filed a second motion for continuance. After hearing argument during the en banc hearing on July 30, 2021, the Board denied Respondent’s second motion for continuance and ruled that the hearing on the petition for compulsory discipline would proceed.
- (8) Respondent failed to submit any proposed exhibits to the Board prior to the en banc hearing on July 30, 2021. During the hearing, Respondent requested leave to submit exhibits. The Board granted Respondent leave to file any exhibits he wished the Board to consider, subject to any objections from Petitioner as to their admissibility.

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

- (1) This Board has jurisdiction to hear and determine this matter. TEX. RULES DISCIPLINARY P. R. 7.08(G).
- (2) Petitioner’s objection to Respondent’s proffered exhibit of “Partial Transcript – Closing Arguments Before the Honorable Keith C. Barnes, February 28, 2020, in Case No. 171500332” is **OVERRULED** and the exhibit is admitted into evidence as Respondent’s Exhibit 1.
- (3) Petitioner’s objections to Respondent’s proffered exhibits of (1) “Letter Agreement of Exclusivity” dated November 18, 2013; (2) “Green River Refinery First Set of Confidential Document and Information Requests September 25, 2013;” and (3) “Enhanced Clean Fuels Gas Purchase & Supply Term Sheet” dated November 12, 2013” are **SUSTAINED**.
- (4) Respondent, Lawrence E. Daniel, was convicted of felony crimes that require proof of knowledge or intent as an essential element.
- (5) Respondent was placed on probation for conduct that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer for purposes of TEX. RULES DISCIPLINARY P. R. 8.04.
- (6) Accordingly, Respondent has been convicted for purposes of TEX. RULES DISCIPLINARY P. R. 8.04 of Intentional Crimes as defined by TEX. RULES DISCIPLINARY P. R. 1.06(V). Such crimes also constitute Serious Crimes as defined by TEX. RULES DISCIPLINARY P. R. 1.06(GG).

- (7) The convictions are final.
- (8) Compulsory discipline is warranted in this case. TEX. RULES DISCIPLINARY P. R. 8.05.
- (9) Having considered the evidence and the arguments of parties, the Board concludes that Respondent, Lawrence E. Daniel, should be disbarred. TEX. RULES DISCIPLINARY P. R. 8.05, 8.06.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Lawrence E. Daniel, State Bar Card No. 05359900, be and hereby is **DISBARRED** from the practice of law in the State of Texas and his license to practice law in this state be and hereby is revoked.

It is further **ORDERED, ADJUDGED, and DECREED** that Respondent, Lawrence E. Daniel, 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.”

It is further **ORDERED** that Respondent, Lawrence E. Daniel, shall immediately notify each of his current clients in writing of this disbarment. In addition to such notification, Respondent is **ORDERED** to return any files, papers, unearned monies, and other property, which belongs to clients and former clients and is in Respondent’s possession or control, 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 Board, 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** that Respondent, Lawrence E. Daniel, shall, on or before thirty (30) days from the signing of this judgment by the Board, 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 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. 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 Board, 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.

It is further **ORDERED** that Respondent, Lawrence E. Daniel, immediately surrender his Texas law license and permanent State Bar Card to the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

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

Signed this 17th day of August 2021.



VICE CHAIR PRESIDING
BOARD OF DISCIPLINARY APPEALS