



FILED

Jul 12 2024

**BEFORE THE BOARD OF DISCIPLINARY APPEALS**

**THE BOARD of DISCIPLINARY APPEALS**  
*Appointed by the Supreme Court of Texas*

**APPOINTED BY**

**THE SUPREME COURT OF TEXAS**

**IN THE MATTER OF**

**DEREK H. DAVIS**

**CAUSE NO. 69472**

**STATE BAR CARD NO. 05479400**

**RESPONSE BY RESPONDENT DEREK H. DAVIS**

**TO THE BOARD OF DISCIPLINARY APPEALS:**

1. Respondent respectfully requests that he not be disbarred but rather suspended for only 2 years. Respondent did not commit the crime of theft of \$3600 of which he is accused, and pleaded guilty only on counsel's recommendation that juries are generally hostile toward attorneys and a verdict of guilty would lead to a permanent disbarment, whereas a plea of guilty pursuant to a 2-year adjudicated sentencing (likely to be reduced to one year on good behavior with any record of the offense thereafter removed permanently from Respondent's record) and only a 2-year suspension of his law license. The Petition filed against Respondent seems to indicate that disbarment is mandatory under the facts. If this is accurate, Respondent would never have entered a guilty plea and would have attempted to have a jury find him fully innocent. Respondent would fully accept a 2-year suspension.
2. Respondent will explain, as needed, the issues in more detail at the hearing on July 26, 2024.
3. Attached are the following exhibits:
  - A. Respondent's letter of January 9, 2024, in which he self-reported the alleged criminal activity.
  - B. Respondent's resume to give a sense of his background.
  - C. An affidavit which Respondent prepared for prosecutors, explaining in detail the facts of the case, but which his counsel did not present to prosecutors.
  - D. Respondent's "Acknowledgement of Hearing" before this Board.

**PRAYER**

Respondent asks that he not be disbarred but rather given only a 2-year suspension of his Texas Bar license.

Respectfully submitted,

/s/Derek H. Davis