

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



F I L E D
Jul 17 2026

**IN THE MATTER OF
CORY DEAN FARLEY,
STATE BAR CARD NO. 00796530**

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§

CAUSE NO. 72646

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

**RESPONDENT'S BRIEF IN SUPPORT OF IMPOSITION OF
IDENTICAL RECIPROCAL DISCIPLINE**

TO THE HONORABLE BOARD OF DISCIPLINARY APPEALS:

Respondent, Cory Dean Farley ("Respondent"), files this Brief in Support of Imposition of Identical Reciprocal Discipline and respectfully shows as follows:

I. INTRODUCTION

1. This matter comes before the Board of Disciplinary Appeals solely as a reciprocal discipline proceeding pursuant to Part IX of the Texas Rules of Disciplinary Procedure.

2. The Commission for Lawyer Discipline initiated this action after the State of Arizona entered disciplinary orders in PDJ 2025-9026. In its Petition for Reciprocal Discipline, the Commission expressly asks this Board to enter "a judgment imposing discipline identical with that imposed by the Supreme Court of Arizona." Petition ¶ 11.¹

3. Accordingly, this case is not about whether additional discipline should be imposed upon Respondent. Arizona has already determined the appropriate sanction and entered a final disciplinary judgment.

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The Arizona disciplinary documents referenced herein are contained in Commission Exhibits 1 through 3 attached to the Petition for Reciprocal Discipline.

4. The issue before this Board is whether Texas will impose discipline identical to the discipline Arizona actually imposed.

5. Arizona imposed:

- (1) a one-year suspension;
- (2) retroactive to January 19, 2024;
- (3) restitution to Edward Cunningham in the amount required under the July 27, 2023 promissory notes; and
- (4) a prohibition against reinstatement until restitution has been fully satisfied.

6. Respondent is not asking this Board to reduce, eliminate, or modify the Arizona discipline.

7. Rather, Respondent requests that the Board grant exactly the relief requested by the Commission and required under Rule 9.03—that is, discipline identical to that imposed in Arizona. Texas Rule of Disciplinary Procedure 9.03 provides that reciprocal discipline should be "identical, to the extent practicable," to the discipline imposed by the originating jurisdiction.

8. Because Arizona expressly selected January 19, 2024 as the effective date of the suspension, the one-year suspension period expired on January 19, 2025. The continuing obligations imposed by Arizona concern restitution and reinstatement. Any new one-year suspension commencing upon entry of a Texas order would not be identical discipline. Instead, it would materially increase the Arizona sanction.

II. STATEMENT OF FACTS

9. Respondent is licensed in Arizona and Texas.

10. On July 22, 2025, Respondent and the State Bar of Arizona entered into an Agreement for Discipline by Consent in disciplinary proceeding PDJ 2025-9026. The agreement

resolved disciplinary allegations arising from Respondent's business transaction with Edward Cunningham.

11. As part of the negotiated resolution, Respondent conditionally admitted violations of ERs 1.5(b), 1.8(a), 8.1(b), and 8.4(c). The Arizona Bar agreed to dismiss allegations under ERs 1.8(h), 8.4(a), and 8.4(b).

12. The Agreement expressly states:

"Respondent agrees to accept imposition of the following discipline: one (1) year Suspension, retroactive to the date Respondent went on administrative suspension, January 19, 2024." Agreement for Discipline by Consent, p. 3.

13. The Agreement further provides:

"Respondent shall also pay restitution to Mr. Cunningham in the full amount of principal and interest due to Mr. Cunningham under Respondent's original July 27, 2023 promissory notes." Agreement for Discipline by Consent, p. 3.

14. The Agreement additionally provides:

"Respondent may not apply for reinstatement until Mr. Cunningham is paid back in full under the promissory notes." Agreement for Discipline by Consent, p. 3.

15. Arizona further acknowledged:

"Respondent further affirms that he has made and continues to make good faith efforts to satisfy this obligation." Agreement for Discipline by Consent, p. 10.

16. On August 1, 2025, the Presiding Disciplinary Judge in Arizona entered an Order Accepting Agreement for Discipline by Consent and a Final Judgment and Order adopting the parties' negotiated resolution.

17. The Arizona Final Judgment specifically ordered:

"Respondent, Cory D. Farley, is Suspended for one (1) year ... the effective date retroactive back to the date Respondent went on administrative suspension, January 19, 2024." Final Judgment and Order, p. 1.

18. The Arizona Final Judgment also ordered restitution and prohibited Respondent from seeking reinstatement until Mr. Cunningham is paid in full.

19. Thereafter, the Commission filed its Petition for Reciprocal Discipline in Texas.

20. Importantly, the Commission repeatedly acknowledged Arizona's retroactive suspension. The Petition quotes Arizona's disciplinary order, states that Arizona imposed a one-year suspension retroactive to January 19, 2024, and alleges that Respondent was suspended for one year "effective January 19, 2024." Petition ¶ 5.

III. ARGUMENT AND AUTHORITIES

A. TEXAS RULE 9.03 REQUIRES DISCIPLINE IDENTICAL TO THE EXTENT PRACTICABLE TO THAT IMPOSED IN ARIZONA

21. Reciprocal discipline proceedings exist to promote consistency between jurisdictions and to avoid re-litigation of matters previously decided elsewhere.

22. Texas Rule of Disciplinary Procedure 9.03 provides that reciprocal discipline should be identical, to the extent practicable, to the discipline imposed by the originating jurisdiction.

23. Arizona has already determined:

- (1) the nature of the misconduct;
- (2) the appropriate sanction;
- (3) the duration of suspension;
- (4) the effective date of suspension;
- (5) restitution obligations; and
- (6) reinstatement requirements.

24. The purpose of this proceeding is therefore to implement the Arizona judgment, not rewrite it.

A-1. RESPONDENT SEEKS THE SAME RELIEF REQUESTED

BY THE COMMISSION

25. Respondent is not asking this Board to reduce, modify, or depart from the Arizona discipline.

26. Nor is Respondent asking this Board to disregard the Arizona disciplinary judgment.

27. To the contrary, Respondent requests that the Board grant the precise relief sought by the Commission in its Petition for Reciprocal Discipline.

28. The Commission expressly requests:

"a judgment imposing discipline identical with that imposed by the Supreme Court of Arizona." Petition ¶ 11.

29. Thus, the dispute before the Board is not whether identical discipline should be imposed. Both parties agree that identical discipline is the governing standard under Rule 9.03.

30. The only question is what discipline Arizona actually imposed.

31. Arizona imposed:

- (1) a one-year suspension;
- (2) effective January 19, 2024;
- (3) restitution to Edward Cunningham; and
- (4) a prohibition on reinstatement until restitution is completed. Final Judgment and Order, p. 1.

32. Respondent seeks enforcement of those same disciplinary terms in Texas.

33. Accordingly, recognition of Arizona's effective date is not a request for leniency.

34. It is simply a request that the Board impose exactly the same discipline imposed by Arizona and expressly requested by the Commission.

B. THE ARIZONA EFFECTIVE DATE IS AN EXPRESS

COMPONENT OF THE DISCIPLINE IMPOSED

35. Arizona did not merely impose a one-year suspension.

36. Arizona imposed:

"one (1) year Suspension, retroactive to the date Respondent went on administrative suspension, January 19, 2024." Agreement for Discipline by Consent, p. 3.

37. The Arizona Final Judgment repeated precisely the same retroactive effective date.

38. The effective date was not accidental.

39. It was negotiated by the parties, incorporated into the consent agreement, accepted by Arizona disciplinary authorities, approved by the Presiding Disciplinary Judge, and expressly included in the Final Judgment.

40. Accordingly, January 19, 2024 is not merely an administrative reference point. It is a substantive and inseparable component of the Arizona sanction.

C. THE COMMISSION'S PETITION REQUIRES RECOGNITION

OF THE ARIZONA EFFECTIVE DATE

41. The Commission's own Petition repeatedly acknowledges Arizona's retroactive suspension.

42. The Petition quotes the Arizona Agreement as imposing:

"one (1) year Suspension, retroactive to the date Respondent went on administrative suspension, January 19, 2024." Petition at 2.

43. The Petition further states that Arizona approved:

"a one (1) year Suspension, retroactive to January 19, 2024." Petition at 7.

44. Most importantly, the Commission expressly alleges:

"Respondent was suspended for a period of one (1) year, effective January 19, 2024." Petition ¶ 5.

45. Therefore, the Commission itself has pleaded that the Arizona disciplinary judgment became effective on January 19, 2024.

46. The Commission is not asking BODA to determine a new effective date.

47. The Commission is not requesting greater discipline than Arizona imposed.

48. Rather, the Commission expressly requests identical discipline.

49. If the Board grants the relief requested by the Commission, the Board should recognize the same effective date selected by Arizona.

D. A NEW PROSPECTIVE TEXAS SUSPENSION WOULD NOT
CONSTITUTE IDENTICAL DISCIPLINE

50. Respondent respectfully anticipates that the Board may consider whether identical discipline permits entry of a one-year suspension beginning on the date of the Texas judgment.

51. Such an approach would not constitute identical discipline.

52. Arizona's Final Judgment did not impose "one year beginning upon entry of judgment."

53. Arizona imposed:

"one (1) year ... retroactive back to the date Respondent went on administrative suspension, January 19, 2024." Final Judgment and Order, p. 1.

54. Arizona selected January 19, 2024 as the commencement date of the suspension.

55. Therefore, Arizona's one-year suspension expired on January 19, 2025.

56. If Texas instead imposes a new one-year suspension beginning in 2026, Respondent would effectively serve substantially more suspension time than Arizona ordered.
57. Such a result would not replicate Arizona's sanction.
58. It would materially increase it.
59. Nothing in the Arizona Agreement, the Arizona Acceptance Order, the Arizona Final Judgment, or the Commission's Petition suggests that Arizona intended a second one-year suspension to begin in reciprocal jurisdictions after January 19, 2025.
60. To the contrary, Arizona specifically selected a retroactive effective date and made restitution the continuing condition associated with reinstatement.
61. The effective date is part of the sanction itself.
62. If Texas changes the effective date, Texas changes the sanction.
63. Consequently, the only discipline that is truly identical within the meaning of Rule 9.03 is:
- (1) recognition of the suspension commencing January 19, 2024;
 - (2) recognition that the suspension expired January 19, 2025;
 - (3) continued enforcement of Arizona's restitution obligations; and
 - (4) continued recognition of Arizona's reinstatement conditions.

E. THE REMAINING ARIZONA DISCIPLINARY REQUIREMENTS

CONCERN RESTITUTION AND REINSTATEMENT

64. Arizona ordered:
- "Respondent shall pay restitution to Edward Cunningham in the full amount of principal and interest due to Mr. Cunningham under Respondent's original July 27, 2023 promissory notes." Final Judgment and Order, p. 1.
65. Arizona further ordered:

"Respondent may not apply for reinstatement until Mr. Cunningham is paid back in full under the promissory notes." Final Judgment and Order, p. 2.

66. Significantly, the Texas Petition acknowledges that Respondent has made payments beyond the initial March 2024 payment and states:

"Respondent has also made other regular payments to Mr. Cunningham after this date." Petition ¶ 19.

67. Arizona's disciplinary framework therefore focuses on restitution and repayment as the continuing condition of reinstatement.

68. A reciprocal order that recognizes the already-served suspension while requiring continued compliance with Arizona's restitution obligations most faithfully mirrors the Arizona judgment.

IV. PRAYER

WHEREFORE, PREMISES CONSIDERED, Respondent respectfully requests that the Board of Disciplinary Appeals:

1. Impose discipline identical, to the extent practicable, to the discipline imposed by the State of Arizona;
2. Recognize that Arizona imposed a one-year suspension retroactive to January 19, 2024;
3. Specifically find that the Arizona disciplinary judgment became effective January 19, 2024;
4. Specifically find that the one-year suspension imposed by Arizona expired on January 19, 2025;
5. Decline to alter the Arizona judgment by imposing a new prospective suspension period commencing upon entry of a Texas order;
6. Recognize and enforce the restitution obligations imposed by Arizona;

7. Recognize and enforce Arizona's reinstatement conditions;
8. Grant the relief requested by the Commission through imposition of discipline identical to that imposed in Arizona, including recognition of Arizona's selected effective date of January 19, 2024; and
9. Grant such other and further relief to which Respondent may be justly entitled.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Respondent's Brief in Support of Imposition of Identical Reciprocal Discipline was served upon Richard A. Huntpalmer, Assistant Disciplinary Counsel, Office of Chief Disciplinary Counsel, State Bar of Texas, in accordance with the Texas Rules of Disciplinary Procedure on July 16, 2026.



CORY DEAN FARLEY