



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

IN THE MATTER OF §
W. THOMAS FINLEY § **CAUSE NO. 63670**
STATE BAR CARD NO. 07025500 §

JUDGMENT OF DISBARMENT

On the 30th day of April 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, W. Thomas Finley, appeared and announced ready.¹ All questions of fact and all issues of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

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

- (1) Respondent, W. Thomas Finley, State Bar Card Number 07025500, is licensed but not currently authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about May 25, 2018, Respondent was charged by Indictment with Theft of Property with the aggregate value of at least \$200,000, in Cause No. F1800311, styled *The State of Texas v. Walter Thomas Finley*, in the Criminal District Court #4 of Dallas County, Texas.
- (3) On or about September 11, 2019, a Plea Agreement was entered in Cause No. F1800311-K, styled *The State of Texas v. Walter Thomas Finley*, in the Criminal District Court #4 of Dallas County, Texas.

¹ The Board respects Respondent's patience, candor, and humility during the hearing.

- (4) On or about September 11, 2019, an Order of Deferred Adjudication was entered in Cause No. F-1800311-K, styled *The State of Texas v. Walter Thomas Finley*, in the Criminal District Court #4 of Dallas County, Texas wherein Respondent pled guilty to “Theft of Property >= 200K” and was placed on Community Supervision for a term of ten (10) years. Respondent was further ordered to pay court costs and to complete 320 hours of community service.
- (5) Respondent, W. Thomas Finley, is the same person as the Walter Thomas Finley who is the subject of the Order described above.

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) Respondent, W. Thomas Finley, was placed on probation through deferred adjudication for conduct that, for purposes of TEX. RULES DISCIPLINARY P. R. 8.04, constitutes an Intentional Crime as defined by TEX. RULES DISCIPLINARY P. R. 1.06(V). Such conduct also constitutes a Serious Crime as defined by TEX. RULES DISCIPLINARY P. R. 1.06(GG).
- (3) Compulsory discipline is warranted in this case. TEX. RULES DISCIPLINARY P. R. 8.05.
- (4) Respondent’s sentence was deferred pursuant to an agreement for deferred adjudication. Thus, the Board had discretion pursuant to TEX. RULES DISCIPLINARY P. R. 8.05 and 8.06 to enter an order of disbarment or suspend Respondent’s license for the duration of the probation. *In re Caballero*, 272 S.W.3d 595, 601 (Tex. 2008).
- (5) The inquiry as to whether to disbar or suspend is governed by the factors expressed by the Board in *In re Isassi*, BODA Case No. 57699 (2017).
- (6) Based on the relevant factors and the evidence and argument submitted by the parties, the Board determines that disbarment is the appropriate sanction.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, W. Thomas Finley, State Bar Card No. 07025500, 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, W. Thomas Finley, 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,” or “lawyer.”

It is further **ORDERED** that Respondent, W. Thomas Finley, shall immediately notify each of his current clients, if any, 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 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, 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, W. Thomas Finley, shall, on or before thirty (30) days from the signing of this judgment, 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, an affidavit an affidavit stating either (a) that 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 legal matter pending has received written notice of the terms of this judgment, or (b) that Respondent has no legal matters pending in any court or tribunal.

It is further **ORDERED** that Respondent, W. Thomas Finley, 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 6th day of May 2021.

A handwritten signature in blue ink that reads "Tom Giles". The signature is written in a cursive, slightly slanted style.

CHAIR PRESIDING