



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

**IN THE MATTER OF** §  
**ABRAHAM M. FISCH** § **CAUSE NO. 57005**  
*State Bar of Texas Card No. 07039900* §

**JUDGMENT OF DISBARMENT**

On the 9th day of October 2018, the Board of Disciplinary Appeals considered the First Amended Motion for Entry of Judgment of Disbarment filed in the above case by Petitioner, Commission for Lawyer Discipline of the State Bar of Texas, against Respondent, Abraham M. Fisch. The Board finds that:

- (1) It has continuing jurisdiction of this matter pursuant to Texas Rules of Disciplinary Procedure 8.05 (“TRDP”);
- (2) The United States Court of Appeals for the Fifth Circuit affirmed Respondent, Fisch’s, criminal conviction and issued a Mandate indicating that the decision was final on or about April 5, 2017;
- (3) Petitioner filed its First Amended Motion for Entry of Judgment of Disbarment on or about May 29, 2018, and served same on Respondent in accordance with TRDP 8.05;
- (4) Respondent’s conviction for the commission of Intentional Crimes as defined by TRDP 1.06(T), for which he was sentenced in the United States District Court for the Southern District of Texas, Holding Session in Houston, has become final and is not subject to appeal;
- (5) Petitioner’s First Amended Motion for Entry of Judgment of Disbarment should be granted.

**Interlocutory Suspension**

On the 12th day of January 2016, the Board of Disciplinary Appeals entered an Agreed

Interlocutory Order of Suspension, which included the following findings of fact and conclusions of law:

- (1) Respondent, Abraham M. Fisch, whose State Bar of Texas Card number is 07039900, is licensed by the Supreme Court of Texas to practice law and is authorized to practice law in the State of Texas.
- (2) On or about October 19, 2011, Respondent was charged by Indictment with Count One - Conspiracy, in violation of 18 U.S.C. §371, Count Two - Obstruction of Justice, in violation of 18 U.S.C. §1503, Count Three - Obstruction of Justice, in violation of 18 U.S.C. §1503, Count Four - Obstruction of Justice, in violation of 18 U.S.C. §1503, Count Five - Obstruction of Justice, in violation of 18 U.S.C. §1503, Count Six - Money Laundering Conspiracy, in violation of 18 U.S.C. §1956(h), Counts Seven through Fifteen - Money Laundering, in violation of 18 U.S.C. §§ 1957 and 2, and Counts Sixteen through Twenty - Failure to File Tax Return, in violation of 26 U.S.C. §7203, in Cause No. H-11-722, styled *United States of America v. Abraham Moses Fisch aka Anthony Fisch (Counts 1-20), Lloyd Glen Williams (Counts 1-15, 21), Monica Bertman aka Marsha Zaluska Pavlovich aka Malkah Aliyah Bertman (Count 1, 2)* in the United States District Court for the Southern District of Texas, Houston Division.
- (3) On or about April 3, 2013, Respondent was charged by Superseding Indictment with Count One - Conspiracy, in violation of 18 U.S.C. §371, Count Two - Obstruction of Justice, in violation of 18 U.S.C. §1503, Count Three - Obstruction of Justice, in violation of 18 U.S.C. §1503, Count Four - Obstruction of Justice, in violation of 18 U.S.C. §1503, Count Five - Obstruction of Justice, in violation of 18 U.S.C. §1503, Count Six - Obstruction of Justice, in violation of 18 U.S.C. §1503, Count Seven - Money Laundering Conspiracy, in violation of 18 U.S.C. §1956(h), Counts Eight through Sixteen - Money Laundering, in violation of 18 U.S.C. §§ 1957 and 2, Counts Seventeen through Twenty-One - Failure to Timely File Tax Return, in violation of 26 U.S.C. §7203, and Count Twenty-Two - Corrupt Endeavor to Impede the Due Administration of the Internal Revenue Code, in violation of 26 U.S.C. § 7212(a) in Cause No. H-11-722, styled *United States of America v. Abraham Moses Fisch aka Anthony Fisch (Counts 1-22), Monica Bertman aka Marsha Zaluska Pavlovich aka Malkah Aliyah Bertman (Count 1, 2)* in the United States District Court for the Southern District of Texas, Houston Division.
- (4) On or about November 10, 2015, a Judgment in a Criminal was entered in Case No. 4:11CR00722-001, styled *United States of America v. Abraham Moses Fisch, aka Anthony Fisch*, in the United States District Court for the Southern District of Texas, Holding Session in Houston, wherein Respondent was found guilty of Count One S - Conspiracy to Commit

Obstruction of Justice, Count Two S - Obstruction of Justice, Aiding and Abetting, Count Three S - Obstruction of Justice, Aiding and Abetting, Count Five S- Obstruction of Justice, Aiding and Abetting, Count Six S - Obstruction of Justice, Aiding and Abetting, Count Seven S – Conspiracy to Commit Money Laundering, Counts Eight S through Thirteen S - Money Laundering, Aiding and Abetting, Count Sixteen S – Money Laundering, Aiding and Abetting, Counts Seventeen S through Twenty-One S - Failure to File Tax Return and was committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 180 months. This term consists of 53 months as to Count 1S; 120 months as to each of Counts 2S, 3S, 5S, 6S and 8S through 13S and 16S; 180 months as to Count 7S; and 12 months as each of Counts 17S through 21S; all terms to run concurrently for a total of 180 months. Respondent was ordered upon release from imprisonment to be on supervised release for 3 years on each of Counts 1S thorough 3S, 5S, 6S, 8S through 13S and 16S; 5 years as to Count 7S; and 1 year as to each of Counts 17S through 21S; all such terms to run concurrently for a total of 5 years, ordered to pay an assessment of \$1,425.00.

- (5) On or about November 25, 2015, an Amended Judgment in a Criminal Case was entered in Case No. 4:11CR00722-001, styled *United States of America v. Abraham Moses Fisch, aka Anthony Fisch*, in the United States District Court for the Southern District of Texas, Holding Session in Houston, wherein Respondent was found guilty of Count One S - Conspiracy to Commit Obstruction of Justice, Count Two S - Obstruction of Justice, Aiding and Abetting, Count Three S - Obstruction of Justice, Aiding and Abetting, Count Five S- Obstruction of Justice, Aiding and Abetting, Count Six S - Obstruction of Justice, Aiding and Abetting, Count Seven S - Conspiracy to Commit Money Laundering, Counts Eight S through Thirteen S - Money Laundering, Aiding and Abetting, Count Sixteen S - Money Laundering, Aiding and Abetting, Counts Seventeen S through Twenty-One S - Failure to File Tax Return and was committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 180 months. This term consists of 53 months as to Count 1S; 120 months as to each of Counts 2S, 3S, 5S, 6S and 8S through 13S and 16S; 180 months as to Count 7S; and 12 months as to each of Counts 17S through 21S; all terms to run concurrently for a total of 180 months. Respondent was ordered upon release from imprisonment to be on supervised release for 3 years as to each of Counts 1S thorough 3S, 5S, 6S, 8S through 13S and 16S; 5 years as to Count 7S; and 1 year as to each of Counts 17S through 21S; all such terms to run concurrently for a total of 5 years, ordered to pay an assessment of \$1,425.00.
- (6) Respondent, Abraham M. Fisch, is the same person as the Abraham Moses Fisch who is the subject of the criminal case described above.
- (7) Respondent has appealed the criminal convictions.

- (8) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. ("TRDP") 7.08(G);
- (9) Respondent, Abraham M. Fisch, having been convicted of Count One S - Conspiracy to Commit Obstruction of Justice, Count Two S - Obstruction of Justice, Aiding and Abetting, Count Three S - Obstruction of Justice, Aiding and Abetting, Count Five S - Obstruction of Justice, Aiding and Abetting, Count Six S - Obstruction of Justice, Aiding and Abetting, Count Seven S - Conspiracy to Commit Money Laundering, Counts Eight S through Thirteen S - Money Laundering, Aiding and Abetting, Count Sixteen S - Money Laundering, Aiding and Abetting, has been convicted of Intentional Crimes as defined by TRDP 1.06(T).
- (10) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(Z).
- (11) Having been found guilty and convicted of Intentional and Serious Crimes and having appealed such conviction, Respondent, Abraham M. Fisch, should have his license to practice law in Texas suspended during the appeal of his criminal convictions. TRDP 8.04.
- (12) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

### **Disbarment**

The Board has determined that disbarment of the Respondent is appropriate. It is, therefore, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Abraham M. Fisch, State Bar of Texas Card No. 07039900, be and he is hereby DISBARRED from the practice of law in the State of Texas, and his license to practice law in this state be and is hereby revoked.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Abraham M. Fisch, is hereafter permanently prohibited, effective immediately, from practicing law in Texas, holding himself out as an attorney at law, performing any legal service 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 Texas administrative body, or holding

himself out to others or using his name, in any manner, in conjunction with the words “attorney,” “counselor,” or “lawyer.”

It is further ORDERED Respondent, Abraham M. Fisch, 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 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 Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel's Office, State Bar of Texas, P.O. Box 12487, Austin, TX 78711-2487 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 Respondent, Abraham M. Fisch, 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 Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel's Office, State Bar of Texas, P.O. Box 12487, Austin, TX 78711-2487 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, Abraham M. Fisch, if he has not already done  
Fisch – Judgment of Disbarment  
Page 5 of 6

so, immediately surrender his Texas law license and permanent State Bar of Texas Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel's Office, State Bar of Texas, P.O. Box 12487, Austin, TX 78711-2487 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 Final Judgment of Disbarment be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 9 day of October 2018.



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CHAIR PRESIDING