

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

<b>IN THE MATTER OF</b>	§	
<b>DANIEL JAY GOLDBERG</b>	§	<b>CAUSE NO. 25747</b>
<b>STATE BAR CARD NO. 08075050</b>	§	

**JUDGMENT OF DISBARMENT**

On the 23rd day of August 2002, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals appointed by the Supreme Court of Texas. Petitioner appeared by attorney and announced ready. Respondent, Daniel Jay Goldberg, appeared in person and through his attorney and announced ready. All matters of fact and issue 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, Daniel Jay Goldberg, whose State Bar Card number is 08075050, is currently administratively suspended from the practice of law in the State of Texas.
- (2) On or about July 17, 2001, Respondent, Daniel Jay Goldberg, pled guilty to Aggregate Theft, as charged in the Indictment in Cause Number 867386 styled, *The State of Texas vs. Daniel Jay Goldberg*, In the 209th District Court of Harris County, Texas (hereinafter called the "Goldberg" criminal case). On or about July 17, 2001, the Court entered a Judgment placing Respondent on Community Supervision for a term of three (3) years to expire July 16, 2004. The Court further ordered Respondent to pay court costs in the amount of \$237.25.
- (3) Respondent, Daniel Jay Goldberg, is same person as the Daniel Jay Goldberg, who is the subject of the Judgment described above.

- (4) The conviction is final.

**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. Rule 7.08(G), TEXAS RULES OF DISCIPLINARY PROCEDURE (TRDP).
- (2) Respondent, Daniel Jay Goldberg, having been found guilty of and having been placed on probation for an Intentional Crime, has been convicted for purposes of TRDP 8.04 of an intentional crime as defined by TRDP 1.06(O). Said crime is also a serious crime as defined by TRDP 1.06(U).
- (3) Respondent, Daniel Jay Goldberg, should be disbarred. TRDP 8.05.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Daniel Jay Goldberg, State Bar Card No. 08075050, 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, Daniel Jay Goldberg, 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 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 that Respondent, Daniel Jay Goldberg, not later than thirty (30) days from the date of this judgment, shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent, Daniel

Jay Goldberg, has any legal matter pending, if any, of his disbarment, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notifications to the Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Daniel Jay Goldberg, shall notify each of his current clients, if any, in writing, of his disbarment within thirty (30) days of the date hereof. In addition to such notification, Respondent is ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former clients, if any, to those respective clients or former clients within thirty (30) days after the date on which this Judgment is signed by the Board. Respondent is further ORDERED to file with this Board, within the same thirty (30) days, an affidavit stating that all current clients have been notified of his disbarment and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property. Respondent is also ORDERED to mail a copy of said affidavit and copies of all notification letters to clients, to the Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Daniel Jay Goldberg, immediately surrender his Texas law license and permanent State Bar Card to the Office of the Chief Disciplinary Counsel, State Bar of Texas, 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 Office of the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 27<sup>th</sup> day of August, 2002.

  
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CHAIRMAN PRESIDING