



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

**IN THE MATTER OF  
JOHN O'NEILL GREEN  
STATE BAR CARD NO. 00785927**

§  
§  
§

**CAUSE NO. 65862**

**ORDER**

On this day, the Board of Disciplinary Appeals considered sua sponte whether the above-styled and numbered disciplinary matter should be removed from the July 28, 2023, hearing docket. The Board finds as follows:

Petitioner, the Commission for Lawyer Discipline, filed its First Amended Motion for Entry of Judgment of Disbarment on May 11, 2023. Respondent, John O'Neill Green, was served by hand in Rathdrum, Idaho on June 14, 2023, at 3:42 p.m. by a deputy sheriff of Kootenai County. Petitioner filed proof of service with the Board on June 26, 2023.

Pursuant to Texas Rule of Disciplinary Procedure 8.05, when a motion for final judgment of disbarment is supported by affidavits or certified copies of court documents showing that the conviction has become final, a respondent is entitled to a hearing on the motion only if the respondent files a verified denial contesting the finality of the conviction within ten days of service of the motion. TEX. RULES DISCIPLINARY P. R. 8.05. If a verified denial is not filed within ten days of service, the Board must decide the matter "without hearing." *Id.*; see BODA INTERNAL PROCEDURAL RULE 6.02(b)(2).

Petitioner's First Amended Motion for Entry of Judgment of Disbarment contains a certified copy of a Judgment and an Opinion, each issued on August 24, 2022, by the United States Court of Appeals for the Fifth Circuit in the appeal styled *United States v. John O. Green*, Case No. 21-10651, affirming Respondent's conviction and sentence. The Motion also contains the United States Supreme Court's denial of Respondent's petition for writ of certiorari, issued January 23, 2023, in the matter styled *John O. Green v. United States*, Case No. 22-508. This supporting documentation indicates that Respondent's conviction is final.

Despite being duly served, Respondent failed to file a verified denial contesting finality within ten days of service.

Accordingly, it is **ORDERED** that this matter is removed from the July 28, 2023, hearing docket and is set for disposition by the Board without a hearing.

Signed this 5<sup>th</sup> day of July 2023.

A handwritten signature in blue ink, appearing to read "Kevin H.", with a long horizontal line extending to the right.

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**CHAIR PRESIDING**