

BEFORE THE BOARD OF DISCIPLINARY APPEALS

APPOINTED BY

THE SUPREME COURT OF TEXAS



FILED

Apr 11 2025

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

LAUREN ASHLEY HARRIS

STATE BAR OF TEXAS NO. 24080932

APPELLANT,

v.

COMMISSION FOR LAWYER DISCIPLINE,

APPELLEE.

On Appeal from Cause No. 202000647 [North]

District 14 Grievance Committee

Evidentiary Panel 14-2 of the State Bar of Texas

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL FOR APPELLANT &
UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE APPELLANT BRIEF**

TO THE HONORABLE BOARD OF DISCIPLINARY APPEALS:

COME NOW, the law firm of Carpenter & Associates, counsel for Appellant, Lauren Ashley Harris, and files two motions seeking relief before this, the Honorable Board of Disciplinary Appeals ("BODA") -- both unopposed by Appellee -- the Commission for Lawyer Discipline:

- ◆ First, pursuant to Rule 10 of the Texas Rules of Civil Procedure ("TRCP"); Rules 1.03, 1.05(a), (c), and 1.09 of the BODA Internal Procedure Rules ("IPR"); and Rules 6.1 and 6.5 of the Texas Rules of Appellate Procedure ("TRAP"), Carpenter & Associates brings its *xx*, on which Appellant joins by agreement, as evidenced by her signature and verification herein.

- ♦ Secondly filed, pursuant to Rules 1.09(a), (2) of the IPR; and Rules 10.1, 10.5(b), and 38.6(d) of the TRAP, is the *Unopposed Motion for an Extension of Time to File Appellant Brief*.

Respectfully, the undersigned firm moves for BODA to enter Orders allowing for the withdrawal of Carpenter & Associates as counsel for Appellant in this action, and for extension of time to file the brief of Appellant; in support of these motions and their requested relief – showing as follows:

I.

Factual & Procedural Overview

Attorney Lauren Ashley Harris (“Ms. Harris/ Appellant /Respondent”), *Texas SBN No: 24080932*, obtained her Texas license to practice law in May 2012. Prior to the disciplinary sanction of February 7, 2023, a Default Judgment of Partially Probated Suspension made the basis of this appellate action -- she never had any disciplinary sanction or deferment entered against her Texas law license -- nor has she received any since that time.

1. This Texas attorney disciplinary appeal is made as to the errors of procedure and law before that Denton, Texas, District 14 Grievance Committee, Evidentiary Panel 14-2, (“EVH Panel”) which entered the Default Judgment of Partially Probated Suspension, (the “Default”), executed on February 7, 2023 by the EVH Panel 14-2 Chair, in an action brought by the Office of Chief Disciplinary Counsel (“CDC”) – as attorneys representing the Commiission for Lawyer Discipline (“CFLD/Appellee/Petitioner”), upon Grievance filing by Complainant, Lyndon Scott North in Cause No. 202000647.¹

¹ The Notice of Grievance filed by Complainant Lyndon Scott North was dated January 15, 2020 – whereafter, Ms. Harris fully responded to the CDC and fully participated in the CDC’s Investigatory Hearing before the Dallas, Texas District 6 Grievance Committee, Investigatory Hearing Panel 6-3 (“IVH Panel”), held November 12, 2020.

2. The Default Judgment ordered Ms. Harris be subject to a disciplinary sanction which actively suspended her from the practice of law in Texas for six months,² from February 1, 2023-July 31, 2023, thereafter on six month “probated” suspension from August 1, 2023-February 1, 2024.³

Notably -- where Ms. Harris is admitted into both the United States District Courts for the Eastern and Northern Districts of Texas – on February 23, 2023, the Honorable United States District Judge, Susan A. Boyle, of the U.S. District Court for the Northern District of Texas, issued a *Notice of Intent to Impose Reciprocal Discipline and Standing Order for Counsel to Show Cause* directed to Mr. Harris under Case 3:23-mc-00011-B ⁴-- to which Ms. Harris filed multiple written filings/exhibits before the Court for ruling by submission on Marh 17, 2023 and again on March 21, 2023. Upon review of the case and material filed by Appellant, the U.S. District Judge **declined to enter the reciprocal discipline** in the Northern District courts, and the time of the Default Judgment’s sanction/suspension has long passed. Ms. Harris has therefore never received any sanctions at all as to her licensure in the two federal district Courts before whom she is admitted.⁵

3. Ms. Harris filed many verified post-judgment motions for relief before

² Further, she was terminated from her newly earned position of employment, at that time, and she was stripped of her Thompson Reuters “Super Lawyer” accolades received for the years 2022 and 2023. CR-0563

³ Notably, no specific findings or terms related to probationary supervision of Ms. Harris as related to eliminating her actions or misconduct -- such as required reporting/steps/classes/communications she needed to complete, or otherwise any person or entity that would be completing any monitoring of Ms. Harris were included for the six-moth “probated” period, at all. Ms. Harris was never served with the Evidentiary Petition by the CDC attorney, Laurie Guerra. When Ms. Harris was finally made aware of the EVH Panel proceeding, unfortunately, it was only upon receipt of the executed Default Judgment by the EVH 14-2 Panel Chair on or about February 7, 2023 -- nearly three years after the Grievance was filed on January 15, 2020 and some two whole years after³ the Ms. Harris appeared and presented on November 12, 2020 before the District 6 Grievance Committee, Investigatory Hearing Panel (“IVH”) 6-3, when this case was heard on the merits.³ The correspondence from the CDC, dated November 20, 2020, reflected the IVH Panel offered Ms. Harris the Grievance Referral Program. In all that time, the CDC never faxed nor text nor ever called Ms. Harris, nor utilized the contact messenger on www.LAHLegal.com, and instead, in an intentional failure of due diligence, and the affirmative duty to divulge adverse case law (BODA’s precedents of *Sims* and *Shelton*, at minimum).

⁴ CR-0577-0579

• ⁵ All the same or substantially similar exhibits were enough to dissuade a United States Federal District Court that this sanction and disciplinary action against Appellant were unfounded, substantively and procedurally defective, and brought in bad faith by Laurie Guerra of the CDC – yet -- those same exhibits were unreasonably/arbitrarily ignored and inequitably excluded in the EVH Panel 14-2 post-judgment filings/proceedings and struck by Laurie Guerra of the CDC and rubber-stamped by the EVH Panel Chair Travis Biggs, without so much as an attempt to abide by the TRDP rules and without notice of defect or any reasonable justification to Respondent to cure.

the EVH Panel, including, but not limited to: motion to stay the suspension pending appeal, for new trial, for findings of fact and conclusions of law, formal bills of exception, providing many exhibit binders of documents and verified notices of supplemental facts, seeking judicial notice, etc., **which relief was all denied.**

4. On May 8, 2023, Appellant filed the Notice of Appeal before BODA, and where many events/filings took place, thereafter BODA stayed the appeal and remanded this cause to the EVH Panel to resolve Respondent's Formal Bills of Exceptions. The Panel conduct eventually resulted in a formal Order of BODA to stay improper Panel action, and created new guidelines in this system for post-judgment hearings; specifically instructing the CDC to provide the recorded audio transcript/court reporter to make a record of the setting for the benefit of the appellate court in a reporter's record.

5. On or about June 13, 2024, the undersigned firm entered its Notice of Appearance before BODA on behalf of Appellant and made its first unopposed request for additional time to file Appellant's Brief.

6. BODA issued an Order on June 14, 2024 granting the request for additional time, setting the new Appellant briefing deadline for July 15, 2024. Additional motions for correction and supplementation of the appellate record were filed by Appellant (as to *Reporter's Record, July 31, 2023*, re-urged upon filing the motion *as to Clerk's Record, July 16, 2024*); and from that time in summer 2024, to last month, March of 2025, this appellate action was pending BODA's rulings.

7. On August 21, 2024, the undersigned firm filed a Notice of Change of Address and Designation of Counsel, which updated BODA as to attorney Ty Hampton's role as new lead counsel/attorney in charge in this appeal.

8. On March 12, 2025, BODA entered its rulings for the July 2023 and July 2024 pending Motions regarding the appellate record, denying such relief, but granting the second unopposed motion for extension of time to file Appellant's brief – which therein set the new appellant briefing deadline to April 11, 2025.

9. On or about March 28, 2025, Mr. Ty Hampton left the employ of the undersigned firm. As such, pursuant to Rules 8 and 10 of the TRCP, and Rule: 1.05(c), (e) of the IPR, and Rule 6.1(a) of the Texas Rules of Appellate Procedure, please accept this filing as the appropriate change in designation of counsel/contact information of counsel for Appellant before BODA and update the service contacts for this case. See Verification of Lauen A. Harris appended herein.

II.

Motion to Withdraw as Counsel for Appellant

10. Carpenter & Associates' cessation of representation of Lauren Ashley Harris requires withdrawal from this case and release from further involvement in this appeal.

11. Under IPR Rule 6.1(c), in August of 2024, Ty Hampton filed a designation as lead counsel for Appellant. Now, based on Mr. Hampton's departure from the firm, this information must again be updated. Therefore, the Appellant

provides her by agreement as evidenced by her signature herein, in compliance with this rule which states:

The original or a new lead counsel may be designated by filing a notice stating that attorney's name, mailing address, telephone number, fax number, if any, email address, and State Bar of Texas identification number. If a new lead counsel is being designated, both the new attorney and either **the party** or the former lead counsel must sign the notice. IPR Rule 6.1(c).

12. Rule 6.5 of the TRAP reflects that “an appellate court may, on appropriate terms and conditions, permit lead counsel to withdraw from representing a party in the appellate court.” “The Court may permit an attorney to withdraw as lead counsel on appeal.” *See* Tex. R. App. P. 6.5.

13. TRAP Rule 6.5(a) and (b) reflects that (a) A motion for leave to withdraw must contain the following:

- (1) a list of current deadlines and settings in the case;
- (2) the party's name and last known address, telephone number, and email address;
- (3) a statement that a copy of the motion was delivered to the party; and
- (4) a statement that the party was notified in writing of the right to object to the motion.

(b) Delivery to Party. The motion must be delivered to the party in person or mailed - both by certified and by first-class mail — to the party at the party's last known address.

14. Josh Carpenter informed Appellant in writing of her right to object to this motion. Tex. R. App. P. 6.5(a)(4). Further, Josh Carpenter sent a copy of this motion, including the one deadline to Appellant. Tex. R. App. P. 6.5(a)(3), (b). The motion was delivered to Appellant in person and by email. *See Verification of Appellant, Lauren A. Harris:* by her signature herein, confirming receipt of the motion, acknowledging the deadlines for this matter were for the Appellate Brief,

which if the withdrawal is granted, Ms. Harris will either submit *pro-se* or hire new counsel. Tex. R. App. P. 6.5(a)(1), also, her notice of the right to object, specifically declining to object, confirmation of agreement for the withdrawal, and agreement as to the change of lead counsel and notice to the Court by way of filing these motions.

Pursuant to Rule 6.5(a)(2) of the TRAP, the following are her last known:

address: 2610 Lakehill Lane #10B, Carrollton, Texas 75006;

phones: 469)359-7093 and 469)386-7426;

e-mail:: laurenlahlegal@gmail.com.

III.

Motion for Extension of Time to File Appellant's Brief

15. Regardless of BODA's ruling on the requested relief of withdrawal, Carpenter & Associates files this Motion for Extension of Time to file the Brief:

- i. Should BODA grant the withdrawal, the extension is filed for the benefit of Appellant in the absence of the undersigned firm as her counsel of record, so as to allow Appellant the necessary time to finalize and file her Appellant's Brief *pro-se* (or through new counsel of her choice).
- ii. However, if BODA does not grant the requested withdrawal, Carpenter & Associates still maintains the request for an extension of time to file Appellant's Brief. The attorney previously assigned by Carpenter & Associates to this matter/designated as the attorney-in-charge before BODA, Mr. Ty Hampton, is no longer employed with Carpenter & Associates. Additional time is similarly necessary to reassign this matter and finalize and file the Brief on Appellant behalf.

16. Similarly, BODA IPR Rule 1.09(a)(2) sets forth the following information which must accompany a request for extension of time to file before BODA:

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- (i) the date of notice of decision of the evidentiary panel, together with the number and style of the case;
 - (ii) if an appeal has been perfected, the date when the appeal was perfected;
 - (iii) the original deadline for filing the item in question;
 - (iv) the length of time requested for the extension;

- (v) the number of extensions of time that have been granted previously regarding the item in question;
 - (vi) the facts relied on to reasonably explain the need for an extension.
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17. Appellant/Counsel Responses

- i. Date for notice of Decision was by cc's Email February 8, 2023. Executed February 7, 2023, in Cause No. 202000647.
- ii. Appeal perfected May 8, 2023
- iii. The original date of filing the Appellant's brief; appears July 2024.
- iv. The length of time for requested extension is at least 30 days.
- v. It appears two prior extensions were granted.

18. Good cause exists to grant this extension for additional time as BODA just finalized its rulings on Appellant's record motions, which have been pending for nearly a year awaiting BODA decision on the record request; until the record was made final by BODA, the briefing of Appellant could fully commence.

19. While both of these items were true after the March 12, 2025 Orders of BODA, Appellant's assigned attorney is no longer working on the matter and the undersigned firm will require additional time to finalize and file the Brief with a new assigned attorney, if the withdrawal is not granted.

20 Similarly, if the withdrawal is granted, then Ms. Harris will require additional time, if *pro-se*, to finalize and file her Brief, or, even if she seeks to hire new counsel of her choosing, they will also need additional time for finalizing and filing the Appellant Brief.

21. Appellant is in agreement with the withdrawal of Carpenter & Associates as her counsel of record in this action, as evidenced by her signature

contained hereinbelow, and the Appellee through its counsel at the CDC, Michael Graham, has indicated the CFLD is not opposed by e-mail on April 10, 2025. This extension of time is sought so that justice may be done in the disposition of this appeal and is not sought for purposes of delay.

PRAYER

WHEREFORE, PREMISES CONSIDERED, on behalf of Appellant Lauren Ashley Harris, and joined with her agreement as evidenced below, the undersigned firm of Carpenter & Associates requests that the Board of Disciplinary Appeals grant the requested unopposed withdrawal as counsel for Appellant, and further, that BODA grant the unopposed motion for extension of time to file the Appellant brief, entering Orders granting withdrawal of Carpenter & Associates from this appeal, and an extension of time to finalize and file the Appellant's Brief; and grant her such other and further relief to which she may show herself to be justly entitled at law and in equity.

Respectfully Submitted,

CARPENTER & ASSOCIATES

By: /s/ Joshua Carpenter

Joshua Carpenter

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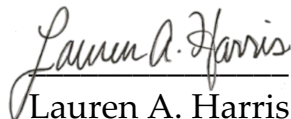
UNSWORN DECLARATION OF APPELLANT, LAUREN ASHLEY HARRIS

My name is Lauren Ashley Harris, and I declare under penalty of perjury that the foregoing is true and correct:

I was provided a copy of these motions by in-person hand-delivery, and I have had a chance to review the contents. I was also informed in writing of my right to object to this withdrawal, (but specifically declining to do so) serving as confirmation of my agreement to the withdrawal and confirming the agreement for the notice of new lead counsel. I am aware of the Appellant' Brief deadline and the request made to BODA to reset this date.

By my signature below, I confirm receipt of the motion, acknowledging the deadlines for this matter and, if the withdrawal is granted, I will finalize and file *pro-se* or hire new counsel.

**Executed: Dallas County, State of Texas
on this, the eleventh day of April, 2025.**



Lauren A. Harris

SBN: 24080932

Appellant, Declarant

CERTIFICATE OF CONFERENCE

I certify that my office, specifically, attorney James Metcalf, by email on April 9-10, 2025 conferred with Michael Graham and indicated his client the CFLD is unopposed to both of the motions set forth herein.

By: /s/ Joshua Carpenter

CERTIFICATE OF SERVICE

As required by Texas Rule of Appellate Procedure 6.3 and 9.5(b),(d),(e), I certify that a true and correct copy of the foregoing document was served on all other parties via the method indicated below on April 11, 2025:

Michael G. Graham

Counsel for Appellee, Commission for Lawyer Discipline

via email: michael.graham@texasbar.com

By: /s/ Joshua Carpenter