

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

<b>IN THE MATTER OF</b>	§	
<b>WILLIAM LASSITER HOLMES, III</b>	§	<b>DOCKET NO. 31827</b>
<b>STATE BAR CARD NO. 00788758</b>	§	

**JUDGMENT OF DISBARMENT**

On the 1st day of October 2004, the above-styled and numbered compulsory disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and announced ready. Respondent, William Lassiter Holmes, III, appeared by and through his attorney and announced ready. All matters of fact as well as matters 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 entered an Interlocutory Order of Suspension on or about October 5, 2004, which provided in pertinent part the following findings and conclusions:

The Board of Disciplinary Appeals found in pertinent part that:

- (1) Respondent, William Lassiter Holmes, III, State Bar Card Number 00788758, as of the date of this judgment is currently licensed to practice law in the State of Texas, but is not authorized to practice due to inactive status.
- (2) On or about December 10, 2003, Respondent, William Lassiter Holmes, III, was found guilty on one count of Conspiracy to Commit Fraud Against the United States in violation of 18 U.S.C. § 371 and one count of Aid and Abet to Devise a Scheme and Artifice to Defraud the United States through the use of the U.S. Postal Service Mail in violation of 18 U.S.C. §§1341 and 1346 and 18 U.S.C. § 2, in Cause Number 7:02CR00519-001 styled, *United States of America v. W. Lassiter Holmes, III*, in the United States District Court, Southern District of Texas, Holding Session in Laredo. On or

about December 10, 2003, the Court entered a Judgment in Criminal Case committing Respondent to the custody of the United States Bureau of Prisons to be imprisoned for a total term of thirty-three (33) months, three (3) years supervised release upon his release from imprisonment, and a fine and costs of \$10,200.00.

- (3) Respondent, William Lassiter Holmes, III, is same person as the William Lassiter Holmes, III, who is the subject of the criminal conviction described above.
- (4) Respondent has appealed the criminal conviction.

Based upon the foregoing findings of facts the Board of Disciplinary Appeals made the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. TEXAS RULES OF DISCIPLINARY PROCEDURE 7.08(G) ("TRDP").
- (2) The crime for which Respondent has been convicted is an intentional crime as defined by TRDP 1.06(O).
- (3) Having been convicted of an Intentional crime with such conviction currently being appealed, Respondent, William Lassiter Holmes, III, should be suspended from the practice of law in Texas during the appeal of his criminal conviction. TRDP 8.04.
- (4) In the event that the criminal conviction of Respondent, William Lassiter Holmes, III, becomes final, Respondent should be disbarred. TRDP 8.05.

As a result of the foregoing Findings of Fact and Conclusions of Law, the Board of Disciplinary Appeals entered an Interlocutory Order of Suspension on or about October 5, 2004, which provided in pertinent part that Respondent's license to practice law would be suspended pending the outcome of his appeal of the conviction and that, upon conclusion of his appeal and in the event that the conviction became final, Respondent would be disbarred.

As a result of the appeal by Respondent of the criminal conviction, a Mandate affirming the

Judgment in the criminal case was issued by United States Court of Appeals for the Fifth Circuit on or about April 28, 2005. The Judgment in the criminal case has now become final.

On the 2 day of March 2006, came on to be heard Petitioner's Motion for Entry of Judgment of Disbarment. The Board, having considered such Motion, finds that said Motion should be in all things GRANTED.

The Board finds that Respondent's conviction for which he was sentenced in the United States District Court for the Southern District of Texas, holding session in Laredo, has become final and that a judgment of disbarment should be entered.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, William Lassiter Holmes, III, State Bar Card No. 00788758, 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, William Lassiter Holmes, III, 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," "ccounselor," or "lawyer."

It is further ORDERED that Respondent, William Lassiter Holmes, III, not later than thirty (30) days from the date of the entry 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

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, William Lassiter Holmes, III, shall immediately notify each of his current clients, if any, in writing, of his disbarment. 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, William Lassiter Holmes, III, immediately surrender his Texas law license and permanent State Bar Card to the Office of the Chief Disciplinary

Counsel, State Bar of Texas, P. O. Box 12487, Capitol Station, 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 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 2 day of MARCH 2006.



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Chair Presiding  
BOARD OF DISCIPLINARY APPEALS