

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

<b>IN THE MATTER OF</b>	§	
<b>BARRY JOSEPH JEWELL</b>	§	<b>CAUSE NO. <u>44743</u></b>
<b>STATE BAR CARD NO. 24033546</b>	§	

**AGREED INTERLOCUTORY ORDER OF SUSPENSION**

On this day, the above-styled and numbered compulsory disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and Respondent appeared as indicated by their respective signatures below and announced that they agree to the findings of fact, conclusions of law and orders set forth below. The Board of Disciplinary Appeals, having reviewed the file and in consideration of the agreement of the parties, 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, Barry Joseph Jewell, whose State Bar Card number is 24033546, is licensed by the Supreme Court of Texas to practice law but is not currently authorized to practice law in the State of Texas.
- (2) On or about April 4, 2007, Respondent was charged by Indictment with crimes involving Conspiracy, Money Laundering and Tax Evasion in Case No. 4:07CR00103GH, styled *United States of America v. Barry J. Jewell*, in the District Court of the United for the Eastern District of Arkansas.
- (3) On or about April 14, 2009, a Judgment in a Criminal Case was entered in Case Number. 4:07CR00103 JLH, styled *United States of America v. Barry J. Jewell*, in the United States District Court for the Eastern District of Arkansas, wherein Respondent was found guilty of violating Title 26 U.S.C. § 7201 and Title 18 U.S.C. § 2, Tax Evasion, a Class D Felony offense, as charged in Count 5 of the Indictment. The Court ordered that Respondent be committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of thirty (30) months and ordered

upon release from imprisonment to be on supervised release for three (3) years and further ordered to pay an assessment of \$100.00, and a fine of \$25,000.00.

- (5) Respondent, Barry Joseph Jewell, is the same person as the Barry J. Jewell who is the subject of the Jewell criminal case described above.
- (6) Respondent has appealed the criminal conviction.

Conclusions of Law. Based upon the foregoing findings of facts 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;
- (2) Respondent, Barry Joseph Jewell, having been convicted of Tax Evasion has been convicted of an Intentional Crime as defined by TRDP 1.06(T).
- (3) Respondent has also been convicted of a Serious Crime as defined by TRDP 1.06(Z).
- (4) Having been found guilty and convicted of an Intentional and Serious Crime and having appealed such conviction, Respondent, Barry Joseph Jewell, should have his license to practice law in Texas suspended during the appeal of his criminal conviction. TRDP 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

It is, accordingly, ORDERED, ADJUDGED, and DECREED that Respondent, Barry Joseph Jewell, State Bar Card No. 24033546, is hereby SUSPENDED from the practice of law in the State of Texas effective immediately upon entry of this order and continuing hereafter until further order of this Board.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Barry Joseph Jewell, during said suspension is hereby 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 not completed before the date of this order, 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, Barry Joseph Jewell, shall notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Barry Joseph Jewell, has any legal matter pending, if any, of his suspension, 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 Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711. *There Are None.*

It is further ORDERED that Respondent, Barry Joseph Jewell, shall immediately notify each of his current clients, if any, in writing, of his suspension. 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 of this Order. Respondent is further ORDERED to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating either (a) that all current clients have been notified of his suspension and that all files, papers, unearned fees paid in advance, and all other

*There Are None.*

monies and properties belonging to clients and former clients have been returned as ordered herein or (b) that Respondent has no current clients, files, or papers, and that any unearned fees paid in advance or other monies or properties belonging to clients have previously been returned to the appropriate client. If Respondent is 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 all notification letters to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711. *There Are None.*

It is further ORDERED that Respondent, Barry Joseph Jewell, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas. *Impossible. I do not have access to these items.*

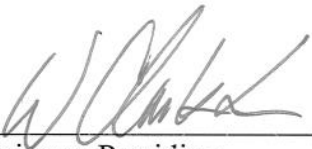
It is further ORDERED that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Order, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that this Order is interlocutory and that the Board retains jurisdiction to enter a final judgment when the appeal of the criminal conviction is final. In the Matter of Mercier, 242 SW 3d 46 (Tex. 2007).

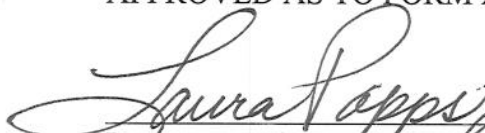
It is further ORDERED that Respondent shall promptly notify the Board and the State Bar of Texas Chief Disciplinary Counsel when the appeal of the criminal conviction is final.

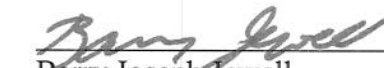
It is further ORDERED that the Chief Disciplinary Counsel of the State Bar of Texas shall monitor the status of the appeal of the criminal conviction on at least a quarterly basis and promptly file an appropriate motion for entry of final judgment with the Board when the appeal of the criminal conviction is final.

Signed this 19<sup>th</sup> day of October 2009.

  
\_\_\_\_\_  
Chairman Presiding  
Board of Disciplinary Appeals

APPROVED AS TO FORM AND CONTENT:

  
\_\_\_\_\_  
Laura Bayouth Popp *by permission*  
Deputy Counsel for Administration  
State Bar Card No. 00787050 *00829825*  
Attorney for Petitioner

  
\_\_\_\_\_  
Barry Joseph Jewell  
State Bar Card No. 24033546  
Respondent