



F I L E D

Dec. 04, 2019

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

Notice of Appeal #201703054 (Zarate)

CFLD v. Jones, Cause #201703054 (Zarate)

Before the District 13 Grievance Committee, Evidentiary Panel 13-2

Notice of Appeal

This notice of appeal is filed by Respondent, Jeffrey T Jones. The default judgment rendered on November 8, 2019 for each of the following reasons.

1. I did not receive proper notice of the hearing scheduled for November 8, 2019. I was outside the United States at the time and was not personally served or able to receive notice by mail. I left the United States on October 2, 2019 and did not return until November 14, 2019. I reached my home on November 16, 2019 and checked the mail for the first time since departing the U.S.

At the time I left the U.S. I was awaiting a copy of a proposed agreed judgment from opposing counsel. I was under the impression that we had reached an agreement to settle all pending disputes. An email received from Ms. Henderson, an employee in opposing counsel's office, stated, "Mr. Jones, please be advised the two hearings scheduled for tomorrow, Friday, August 9 in Amarillo have been removed from the docket. Once a new hearing date is set, we will send you notice." I did not receive this notice.

I have not attempted to evade or disrupt these proceedings in any way. After I returned to the United States and was available to receive mail, I signed all certified mailings delivered to my home address.

2. I objected to the inclusion of David Strange on the 13-2 evidentiary panel due to his bias against me. I previously objected in writing to the inclusion of Mr. Strange on the panel on July 26, 2019 because our interests are adverse to each other and he is not an impartial adjudicator. In my email I stated "The same is true of Mr. Strange. I have been the attorney on appeals to immigration boards from errors made by employees at Mr. Strange's law firm. He also has a financial interest in my demise. "

Based on this email, opposing counsel, Ms. Craig agreed that he should not serve on the evidentiary panel in my cases. The previous hearing scheduled with Mr. Strange was cancelled and the case was to be rescheduled at a later date.

The panel scheduled a hearing which I did not receive notice of and included the very person who had previously been disqualified from hearing my case based on a lack of impartiality. This is reversible error. See, *In re State Bar of Texas*, 113 S.W.3d 730(Tex. 2003) (holding that when the supreme court had already affirmed a BODA decision revoking a lawyer's disciplinary

probation and suspending the lawyer, and the lawyer then filed a suit in district court challenging the BODA decision on the ground that a BODA panel member who heard the revocation case should have been disqualified, the lawyer was “free to raise the BODA panel member’s disqualification issue before BODA in accordance with its procedural rules.”

3. No evidence to support the restitution claimed, evidence provided by SBOT shows work completed and the amount of restitution represents no work completed. Substantial evidence exists that this award is improper. This is not surprising considering that Mr. Strange, a person who should be recused from the evidentiary panel due to his bias, served on the panel that heard my case. Mr. Strange has a vested interest in increasing any financial liability to the maximum possible amount, regardless of the facts.

4. The panel in this case refused to consider evidence of my continuing disability and how that affected my ability to defend myself against these frivolous charges.

5. I request that BODA docket this appeal and set it for any hearings needed. I request all forms of relief available under the disciplinary process or any other applicable law.

Sincerely,

/s/

Jeffrey T. Jones

email: jeffrey.t.jones@gmail.com

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I certify that a true and correct copy of this document was sent my email to the Chief Disciplinary Counsel at Sophia.Henderson@texasbar.com (Sophia.Henderson@texasbar.com) and Rachel.Craig@texasbar.com (Rachel.Craig@texasbar.com) on the same day it was sent to BODA electronically.

/s/

Jeffrey T. Jones