



F I L E D

Nov 13 2024

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

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

IN THE MATTER OF )  
CHRISTOPHER ROBERTS KELLY ) CAUSE NO. 69923  
BAR CARD NUMBER 24047505 )

**AFFIRMATIVE DEFENSES FOR SHOW CAUSE HEARING**

COMES NOW, the Respondent Christopher R. Kelly, and hereby asserts the following affirmative defenses for the “Show Cause” hearing currently set for January 25, 2025:

1. Imposition of identical discipline would result in grave injustice.
2. The misconduct established in the other jurisdiction warrants a substantially different discipline in this state.
3. That the misconduct for which the attorney was disciplined in the other jurisdiction does not constitute professional misconduct in this state.
4. There was such an infirmity of proof in the other jurisdiction that the conclusion that was reached should not be accepted as final.

In support of his asserted affirmative defenses, Respondent states as follows:

A. Respondent was not disciplined by the Oklahoma Bar Association as he voluntarily resigned his Oklahoma license while one Grievance was pending. He was not disbarred or otherwise disciplined by the Oklahoma Bar Association, and he resigned because he could not afford the cost of defending the Grievance.

B. Respondent presently is not a practicing attorney in the State of Texas as evidenced by the Blake Hawthorne filing with this Court by the Office of Disciplinary Counsel.

C. The April 1, 2024 Order of the Oklahoma Supreme Court stated that the allegations against Respondent “if proven” could result in discipline for Respondent. Such allegations were **not proven** as Respondent voluntarily resigned his license in lieu of a trial.

D. The first Grievance filed against Respondent was settled with no admission of guilt by Respondent.

E. The second Grievance against Respondent arose from Respondent not updating his address with the Tennessee Bar Association, so he never received the Grievance filed against him in Tennessee. Once he became aware of the Grievance, he immediately responded.

Since the filing of his response, he has heard nothing from the Tennessee Bar Association as he no longer lives in, or practices law in Tennessee.

F. Respondent has no plans to reactivate his Texas license in the near term as he lives in Oklahoma.

**WHEREFORE**, Respondent respectfully requests his affirmative defenses be considered or accepted at the Show Cause Hearing.

Respectfully submitted,

          /s/ Christopher R. Kelly  
By: Christopher R. Kelly