

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

IN THE MATTER OF PHILIP M. KLEINSMITH STATE BAR CARD NO. 11567650	§ § §	CAUSE NO. 51059
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AGREED JUDGMENT OF PUBLIC REPRIMAND AND PROBATED SUSPENSION

On the 16th day of October 2012, the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and Respondent appeared pro se 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, Philip M. Kleinsmith, is an attorney who is authorized to practice law in the State of Texas, and whose Bar Card No. is 11567650;
- (2) On or about March 20, 2012, a Final Judgment and Order was filed Before the Presiding Disciplinary Judge of the Supreme Court of Arizona in a matter styled, *In the Matter of an Active Member of the State Bar of Arizona, Philip M. Kleinsmith, Bar No. 012775*, reprimanding Respondent and placing him on probation for a period of one year subject to early termination upon completion of Ethics School.
- (3) Respondent completed Ethics School and the probation was terminated on June 18, 2012.
- (4) Respondent, Philip M. Kleinsmith is the same person as the Philip M. Kleinsmith who is the subject of the Final Judgment and Order entered by the

Supreme Court of Arizona; and


- (5) The Final Judgment and Order of the Supreme Court of Arizona is final.

Conclusions of Law. Based upon the foregoing findings of facts the Board of Disciplinary Appeals makes the following conclusions of law:

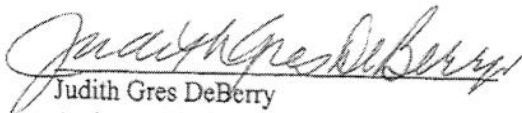
- (1) This Board has jurisdiction to hear and determine this matter. Rule 7.08(H), Texas Rules of Disciplinary Procedure;
- (2) Reciprocal discipline identical to that imposed by the Supreme Court of Arizona is warranted in this case.

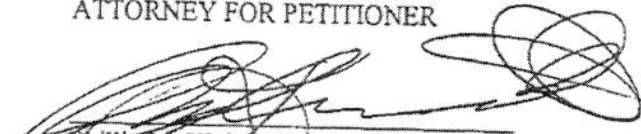
It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Philip M. Kleinsmith, State Bar Card No. 11567650, is hereby PUBLICLY REPRIMANDED and SUSPENDED from the practice of law in Texas for a period of three (3) months with the imposition of such suspension being fully probated.

Signed this 16th day of October, 2012.


 CHAIRMAN PRESIDING
 BOARD OF DISCIPLINARY APPEALS

APPROVED AS TO FORM:


 Judith Gres DeBerry
 Assistant Disciplinary Counsel
 ATTORNEY FOR PETITIONER


 Philip M. Kleinsmith
 RESPONDENT