

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

IN THE MATTER OF	§	
	§	
STEVEN RYAN LAFUENTE	§	CAUSE NO. 53998
	§	
STATE BAR CARD NO. 24032522	§	

**AGREED JUDGMENT REVOKING PROBATION AND ACTIVELY
SUSPENDING RESPONDENT FROM THE PRACTICE OF LAW**

On this day, the Board of Disciplinary Appeals heard the Petition for Revocation of Probation filed by the Commission for Lawyer Discipline of the State Bar of Texas against Respondent, Steven Ryan Lafuente, State Bar No. 24032522. Petitioner appeared by attorney and Respondent, Steven Ryan Lafuente, appeared as indicated by their respective signatures below and announced that they agreed to the findings of fact, conclusions of law and orders set forth below.

All issues of fact and questions of law were submitted to the Board. This Board has exclusive jurisdiction to hear a petition to revoke a probated suspension from the practice of law imposed by an evidentiary panel of the State Bar of Texas grievance committee during the full term of suspension, including any probationary period. Texas Rules of Disciplinary Procedure 2.23 (“TRDP”); *In re State Bar of Texas*, 113 S.W.3d 730,733 (Tex. 2003).

Having considered the agreement of the parties, pleadings, and having heard the evidence and the argument of counsel, the Board finds as follows:

- (1) Respondent, Steven Ryan Lafuente, whose State Bar Card number is 24032522, is licensed but not currently authorized by the Supreme Court of Texas to practice law.
- (2) Respondent was personally served with the Petition for Revocation of Probation and hearing notice in this cause by a duly authorized process

server on April 5, 2014, in accordance with the Texas Rules of Disciplinary Procedure 2.23 ("TRDP"). The affidavit of service was filed with the Board on April 18, 2014.

- (3) On October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. **D0091144042**, an Evidentiary Panel of the State Bar of Texas District 6C Grievance Committee found that Respondent had committed violations of Texas Disciplinary Rules of Professional Conduct 1.15(d), 8.04(a)(3), and 8.04(a)(7). Respondent received a sanction of a four-year partially probated suspension beginning December 1, 2012, and ending November 30, 2016, with two years active suspension beginning December 1, 2012, and ending November 30, 2014, and two years probated suspension beginning December 1, 2014, and ending on November 30, 2016.
- (4) Respondent was ordered to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before December 1, 2012, an affidavit stating all current clients and opposing counsel had been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients had been returned as ordered herein.
- (5) Respondent was ordered to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before December 1, 2012, an affidavit stating Respondent had notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent had any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent was representing in Court.
- (6) Respondent was ordered on or before December 1, 2012, to surrender his law license and permanent State Bar Card to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), to be forwarded to the Supreme Court of Texas.
- (7) Respondent was ordered to pay restitution on or before January 5, 2015, to Melinda Claudio in the amount of \$4,300.00. The payment of restitution was ordered be made in 24 monthly installments, with the first 23 payments in the amount of \$180.00, and the 24th payment in the amount of \$160.00. Each installment was ordered due on the 5th of each month, beginning February 5, 2013, with the final installment due on January 5, 2015.

- (8) Respondent was ordered to make contact with the Texas Lawyers' Assistance Program (TLAP) at its hotline number, 800-343-8527, not later than 7 days after receipt of a copy of this judgment to inquire as to services and referrals offered by that program to aid in Respondent's rehabilitation. Respondent was also ordered to send verification of contact with TLAP to the State Bar of Texas within fifteen (15) days of such contact.
- (9) Respondent was ordered to submit to supervision for a period of 4 years by a rehabilitation monitor acceptable to the State Bar of Texas and selected by the monitoring program of the Texas Lawyers' Assistance Program. It was ordered that the monitor supervise Respondent's compliance with the requirements of the rehabilitation conditions and was under a duty to immediately report to the Chief Disciplinary Counsel's Office State Bar of Texas any noncompliance on the part of Respondent. It was also ordered that the monitor report the status of Respondent's compliance with these conditions on a monthly basis, with the report due by the 5th day of each month for the duration of the monitoring period.
- (10) Respondent was ordered to meet with the monitor a minimum of two times per month. It was ordered that the initial meeting be held not later than 10 days after Respondent received written notification from the State Bar of Texas of the name and phone number of Respondent's assigned monitor. Such meetings were ordered to be in person at a place and time determined by the monitor. Exceptions must be approved in advance by the monitor and noted on the monthly report.
- (11) It was ordered that within 10 days of Respondent's receipt of the judgment, that he schedule a full psychological assessment to be conducted by a mental health professional licensed in Texas as a psychiatrist, a psychologist, a master's level social worker (LCSW), or a licensed professional counselor (LPC). Respondent was ordered to complete the assessment at the earliest practicable date, but in no event later than 60 days after receipt of the judgment. It was ordered that although the details of information disclosed during the assessment remain confidential, the conclusions, diagnosis and treatment plan recommendations of the mental health professional be reported to the State Bar of Texas within 10 days of the completion of the assessment. Respondent was ordered to take all necessary action, including the execution of a valid release of information, to allow and direct the mental health professional to report such results and recommendations.
- (12) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case

No. D0091144042, by failing to file an affidavit stating all current clients and opposing counsel had been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients had been returned as ordered herein.

- (13) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. D0091144042, by failing to file an affidavit stating that he had notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which he had any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent was representing in Court.
- (14) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. D0091144042, by failing to surrender his law license and permanent State Bar Card.
- (15) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. D0091144042, by failing to pay monthly installment payments in the amount of \$180.00 for restitution to Melinda Claudio beginning February 5, 2013.
- (16) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. D0091144042, by failing to make contact with the Texas Lawyers' Assistance Program (TLAP) at its hotline number, 800-343-8527, not later than 7 days after receipt of a copy of the judgment to inquire as to services and referrals offered by that program to aid in Respondent's rehabilitation. Respondent also failed to send verification of contact with TLAP to the State Bar of Texas within fifteen (15) days of such contact.
- (17) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. D0091144042, by failing to submit to supervision for a period of 4 years by a rehabilitation monitor acceptable to the State Bar of Texas and selected by the monitoring program of the Texas Lawyers' Assistance Program.

- (18) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. D0091144042, by failing to meet with the monitor a minimum of two times per month.
- (19) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. D0091144042, by failing to schedule a full psychological assessment to be conducted by a mental health professional licensed in Texas as a psychiatrist, a psychologist, a master's level social worker (LCSW), or a licensed professional counselor (LPC). Respondent failed to complete the assessment at the earliest practicable date, but in no event later than 60 days after receipt of the judgment.
- (20) On November 5, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. **D0051142943**, an Evidentiary Panel of the State Bar of Texas District 6A Grievance Committee found that Respondent had committed violations of Texas Disciplinary Rules of Professional Conduct 1.01(b)(1), 1.03(a) and 1.15(d). Respondent received a sanction of a two-year partially probated suspension beginning December 1, 2012, and ending November 30, 2014, with one year active suspension beginning December 1, 2012, and ending November 30, 2013, and one year probated suspension beginning December 1, 2013, and ending on November 30, 2014.
- (21) Respondent was ordered to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before December 1, 2012, an affidavit stating all current clients and opposing counsel had been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients had been returned as ordered herein.
- (22) Respondent was ordered to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before December 1, 2012, an affidavit stating Respondent had notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent had any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent was representing in Court.
- (23) Respondent was ordered on or before December 1, 2012, to surrender his

law license and permanent State Bar Card to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), to be forwarded to the Supreme Court of Texas.

- (24) Respondent was ordered to pay restitution on or before October 5, 2013, to Brandi Reschke in the amount of \$1,850.00. The payment of restitution was ordered to be made in 10 monthly installments, with each payment in the amount of \$185.00. Each installment was due on the 5th of each month, beginning January 5, 2013, with the final installment due on October 5, 2013.
- (25) Respondent was ordered to pay all reasonable and necessary attorneys' fees and direct expenses to the State Bar of Texas in the amount of \$1,130.00. The payment of attorneys' fees and expenses was ordered to be made in 10 monthly installments, with each payment in the amount of \$113.00. Each installment was due on the 5th of each month, beginning November 5, 2013, with the final installment due on August 5, 2014.
- (26) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on November 5, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. D0051142943, by failing to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before December 1, 2012, an affidavit stating all current clients and opposing counsel had been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients had been returned as ordered herein.
- (27) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on November 5, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent*, Case No. D0051142943, by failing to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before December 1, 2012, an affidavit stating Respondent had notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent had any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent was representing in Court.
- (28) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on November 5, 2012, in a case styled, *Commission for*

Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent, Case No. D0051142943, by failing to surrender his law license and permanent State Bar Card.

- (29) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on November 5, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent, Case No. D0051142943*, by failing to pay restitution to Brandi Reschke in the amount of \$1,850.00.
- (30) Respondent violated the Agreed Judgment of Partially Probated Suspension signed on November 5, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent, Case No. D0051142943*, by failing to pay monthly installment payments in the amount of \$113.00 for attorneys' fees and direct expenses to the State Bar of Texas beginning November 5, 2013.
- (31) Respondent, Steven Ryan Lafuente, is the same person as the Steven Ryan Lafuente who is the subject of the Evidentiary Judgments described above.

The Board concludes that:

- (1) Respondent has materially violated the terms and conditions of the Agreed Judgment of Partially Probated Suspension signed on October 24, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent, Case No. D0091144042*.
- (2) Respondent has materially violated the terms and conditions of the Agreed Judgment of Partially Probated Suspension signed on November 5, 2012, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Steven Ryan Lafuente, Respondent, Case No. D0051142943*.
- (3) Respondent's probation should be revoked and he should be actively suspended for the full terms of the probationary periods for the respective judgments without credit for any probation period served. Tex. R. Disciplinary Pro. 2.23.

It is therefore, ORDERED, ADJUDGED, and DECREED that Respondent, Steven Ryan Lafuente, State Bar No. 24032522, be, and hereby is, actively SUSPENDED from the practice of law in the State of Texas for a period of 31 months effective immediately on the date this judgment is signed and ending on November 30, 2016.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Steven Ryan Lafuente, during said suspension is prohibited 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," "counselor," or "lawyer."

It is further ORDERED that Respondent, Steven Ryan Lafuente, not later than thirty (30) days 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, Steven Ryan Lafuente, 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 Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Steven Ryan Lafuente, shall immediately notify each of his current clients and opposing counsel, 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 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 suspension and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been

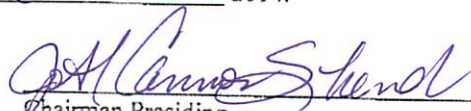
returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to 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 Statewide Compliance Monitor, Office of Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Steven Ryan Lafuente, immediately surrender his Texas law license and permanent State Bar Card to the Office of Chief Disciplinary Counsel, State Bar of Texas, for transmittal to the Clerk of the Supreme Court of Texas.

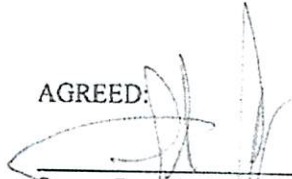
It is further ORDERED that a certified copy of the Petition for Revocation of Probation on file herein, along with a copy of this Judgment, be sent to the Office of Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

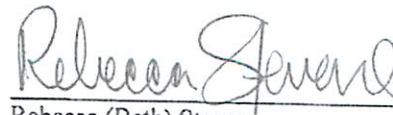
It is further ORDERED that this Judgment Revoking Probation and Actively Suspending Respondent from the Practice of Law shall be made a matter of public record and be published in the Texas Bar Journal.

Signed this 29 day of April 2014.


Chairman Presiding
Board of Disciplinary Appeals

AGREED:


Steven Ryan Lafuente
Respondent
State Bar No. 24032522


Rebecca (Beth) Stevens
Attorney for Petitioner
State Bar No. 24065381