

**BEFORE THE BOARD OF DISCIPLINARY APPEALS**  
**Appointed By**  
**THE SUPREME COURT OF TEXAS**

**WALTER ANDREW LADYMAN**

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§

**V.**

**CAUSE NO. 32371**

**COMMISSION FOR LAWYER  
DISCIPLINE OF THE  
STATE BAR OF TEXAS**

**ORDER GRANTING JOINT MOTION TO REVERSE AND REMAND  
FOR RENDITION AND ENTRY OF AN AGREED JUDGMENT**

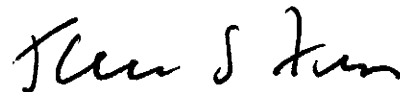
On this day the Board of Disciplinary Appeals considered the Joint Motion to Reverse and Remand for Rendition and Entry of an Agreed Judgment submitted by the parties in the above cause. The Board finds that the parties have settled the matter by agreement as reflected in the Judgment of Fully Probated Suspension attached hereto and incorporated herein for all purposes as if set out in full as Exhibit A.

It is therefore **ORDERED** that the Joint Motion be and hereby is **GRANTED**, and that the matter is **REVERSED** and **REMANDED** with instruction that the Evidentiary Panel for the State Bar of Texas District 14C grievance committee shall **ENTER** said Judgment of Fully Probated Suspension as agreed upon by the parties.

It is further **ORDERED** that the stay issued by this Board on April 29, 2004 is hereby **DISSOLVED**.

All relief not expressly granted is denied.

SIGNED this 22 day of December, 2004.



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**CHAIRMAN PRESIDING**

**BEFORE THE EVIDENTIARY PANEL FOR THE STATE BAR OF TEXAS  
DISTRICT NO. 14C THE STATE BAR OF TEXAS**

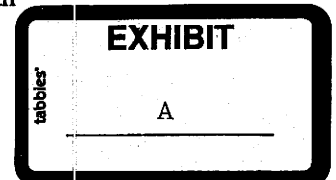
<b>COMMISSION FOR LAWYER</b>	)	
<b>DISCIPLINE</b>	)	
	)	<b>F0040322443</b>
<b>v.</b>	)	<b>F2100213198</b>
	)	
<b>WALTER ANDREW LADYMAN</b>	)	

**JUDGMENT OF FULLY PROBATED SUSPENSION**

On March 10, 2004, came on to be heard the above-styled complaints. The Commission for Lawyer Discipline appeared by and through their attorney, William R. Garrett, Assistant Disciplinary Counsel. The Respondent, WALTER ANDREW LADYMAN, Texas Bar No. 11787880, (hereinafter referred to as "Respondent"), appeared and announced ready. Complainant, GEORGE W. MAYNARD, although duly properly notified, did not appear. Complainant, MARTHA JANE KETCHERSID, appeared.

Investigatory panels of the Grievance Committee for State Bar District 14C and 14D previously heard the complaints of George W. Maynard and Martha Jane Ketchersid and found just cause to believe that the Respondent committed professional misconduct. These matters were brought before an evidentiary panel of the District 14C Grievance Committee, pursuant to Rule 2.13 of the Texas Rules of Disciplinary Procedure, which originally entered judgment on March 26, 2004.

Thereafter, Respondent obtained a stay and appealed this matter to the Board of Disciplinary Appeals. An Agreed Order of Reversal and Remand was entered, resulting in this Judgment.



### **JURISDICTION AND VENUE**

The Evidentiary Panel finds that Respondent was an attorney licensed to practice law in Texas at the time of the filing of the Evidentiary Panel Charge. The Evidentiary Panel finds it has jurisdiction over the parties and subject matter of this action, and that venue is proper before Evidentiary Panel of the District 14C Grievance Committee, Albany, Shackelford County, Texas.

### **PROFESSIONAL MISCONDUCT**

The Evidentiary Panel finds that the acts and conduct of Respondent as set forth hereinafter constitute professional misconduct.

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

#### **Case No. F0040212442 George W. Maynard and Case No. F2100213198 Martha Jane Ketchersid**

Respondent failed to keep the Complainants, Mr. Maynard and Ms. Ketchersid, adequately informed of their cases and failed to timely pursue these clients' claims.

In Case No. F0040212442, Respondent violated Rules 1.01(b)(1), 1.01 (b)(2) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

In Case No. F2100213198, Respondent violated Rules 1.01(b)(1), 1.01(b)(2) 1.03(a) and 1.03(b) of the Texas Disciplinary Rules of Professional Conduct.

### **FULLY PROBATED SUSPENSION**

By reason of the settlement between the Commission and Respondent, the Panel is of the opinion that Respondent has committed professional misconduct and should be suspended for a period of two (2) years fully probated, with the following stipulations: (1) Respondent shall not accept any new matters involving or requiring contested litigation, nor shall he continue to handle

existing matters that do not currently involve contested litigation, but develop into contested litigation; (2) Respondent's attorney, Harper Estes, shall supervise and monitor any litigation matters, contested or otherwise, which Respondent handles; and (3) Upon request, Respondent shall provide to the Chief Disciplinary Counsel, written reports or updates on any litigation matters, contested or otherwise, which Respondent handles.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Respondent be and is hereby suspended from the practice of law for a period of two (2) years **FULLY PROBATED** beginning January 1, 2005 and ending January 1, 2007, under the following terms and conditions:

1. Respondent shall not violate any of the provisions of the Texas Disciplinary Rules of Professional Conduct nor any provision of the State Bar Rules.
2. Respondent shall not violate any state or federal criminal statutes other than misdemeanor traffic violations.
3. Respondent shall maintain a current status regarding membership fees in accordance with Article III of the State Bar Rules.
4. Respondent shall comply with Interest on Lawyers Trust Account requirements in accordance with Article XI of the State Bar Rules.
5. Respondent shall keep the State Bar membership department notified of his current business and home addresses, and telephone numbers, and shall immediately notify the State Bar membership department and the Chief Disciplinary Counsel's Office of the State Bar of Texas, One Lincoln Centre, 5400 LBJ Freeway, Suite 1280, Dallas, Texas 75240, of any change in his addresses or phone numbers.
6. Respondent shall timely comply with all requests for information forwarded to him by any grievance committee of the State Bar of Texas.
7. Respondent shall not violate any term of this Judgment.
8. Respondent shall cooperate fully with the Chief Disciplinary Counsel's Office of the State Bar of Texas in their efforts to monitor compliance with this Judgment.

9. Respondent shall comply with Minimum Continuing Legal Education (MCLE) requirements in accordance with Article III of the State Bar Rules. Further, Respondent shall attend an additional fifteen (15) hours of Continuing Legal Education (CLE) in law office management and ethics with emphasis on effective communication with clients on or before May 1, 2006. Proof of attendance shall be submitted to the Chief Disciplinary Counsel's Office of the State Bar of Texas, at 5400 LBJ Freeway, Suite 1280, Dallas, Texas 75240, no later than May 5, 2006.
10. Respondent has paid the State Bar of Texas attorneys' fees in the amount of Two Thousand Nine Hundred Ninety and no/100 Dollars (\$2,990.00) and costs in the amount of Five Hundred Forty and 79/100 Dollars (\$540.79) which payment is acknowledged.
11. During the period of probation, Respondent shall not accept any new matters involving or requiring contested litigation, nor shall he continue to handle existing matters that do not currently involve contested litigation, but develop into contested litigation.
12. During the period of probation, Respondent's attorney, Harper Estes, shall supervise and monitor any litigation matters, contested or otherwise, which Respondent handles.
13. During the period of probation, Respondent shall, upon request, provide to the Chief Disciplinary Counsel written reports or updates on any litigation matters, contested or otherwise, which Respondent handles.

#### **PROBATION REVOCATION**

**IT IS FURTHER ORDERED** that upon determination by the Board of Disciplinary Appeals that Respondent has violated any of the terms or conditions of probation, the Board shall enter an order revoking the probation and imposing the active suspension of the Respondent from the practice of law for a period of twenty-four (24) months commencing on or after the date of revocation, upon the following conditions:

1. Any grievance committee of the State Bar of Texas or the Chief Disciplinary Counsel of the State Bar of Texas may apply for revocation to the Board of Disciplinary Appeals, by filing a written motion to revoke probation;

2. A copy of the Motion to Revoke Probation and Notice of Hearing on such Motion shall be delivered to Respondent pursuant to Rule 2.23, Texas Rules of Disciplinary Procedure, at Respondent's last known address on the membership rolls for the Supreme Court of Texas; and
3. The Board of Disciplinary Appeals shall hear the Motion to Revoke Probation within thirty (30) days of service upon Respondent, and shall determine whether Respondent has violated any of the terms or conditions of probation by a preponderance of the evidence.

**IT IS FURTHER ORDERED** that this Judgment of Fully Probated Suspension is to be made a matter of record and appropriately recorded in accordance with the Texas Rules of Disciplinary Procedure.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

EVIDENTIARY PANEL  
DISTRICT NO. 14C  
STATE BAR OF TEXAS

BY: \_\_\_\_\_  
PRESIDING MEMBER

**APPROVED AS TO FORM AND SUBSTANCE:**

BY:

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**LINDA A. ACEVEDO**  
ASSISTANT DISCIPLINARY COUNSEL  
STATE BAR OF TEXAS  
P.O. BOX 12487  
AUSTIN, TEXAS 78711  
TELEPHONE: 512.453.5535; 1.877.953.5535  
FAX: 512.453.6667  
**ATTORNEY FOR PETITIONER**  
**COMMISSION FOR LAWYER DISCIPLINE**

BY:

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**HARPER ESTES**  
LYNCH, CHAPPELL & ALSUP, P.C.  
300 N. MARIENFELD, #700  
MIDLAND, TEXAS 79701  
TELEPHONE: 432.683.3351  
FAX: 432.683.2587  
**ATTORNEY FOR RESPONDENT**  
**WALTER ANDREW LADYMAN**

BY:

\_\_\_\_\_  
**WALTER ANDREW LADYMAN**  
**RESPONDENT**