

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

<b>FILED</b>
By: _____
<b>JAN 27 2006</b>
Board of Disciplinary Appeals appointed by the Supreme Court of Texas

**IN THE MATTER OF  
SHEILA D. LATHAM  
STATE BAR CARD NO. 11975700**

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**DOCKET NO. 35124**

**JUDGMENT OF DISBARMENT**

On the 17th day of June 2005, the above-styled and numbered compulsory disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and announced ready. Respondent, Sheila D. Latham, although duly served and cited to appear and having been duly notified of the hearing date, failed to answer or appear and wholly made default. All matters of fact as well as matters of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals entered an Interlocutory Order of Suspension on or about June 26, 2005, which provided in pertinent part the following findings and conclusions:

The Board of Disciplinary Appeals found in pertinent part that:

- (1) Respondent, Sheila D. Latham, whose State Bar Card number is 11975700, is currently licensed by the Supreme Court of Texas but is currently administratively suspended for failure to pay State Bar dues and the Texas Attorney Occupational Tax, as well as for failure to comply with the Minimum Continuing Legal Education requirements.
- (2) On or about January 30, 2004, Respondent, Sheila Denise Latham, was found guilty of Theft, a Third Degree Felony, in Cause Number 886873 styled, *The State of Texas v. Sheila Denise Latham*, in the 180th District Court of Harris County, Texas, (the first criminal conviction). On or about January 30, 2004, the Court entered a Judgment on Plea Before Jury

Court/Jury Assessing Punishment committing Respondent to the custody of the Institutional Division of the Texas Department of Criminal Justice to be imprisoned for a total term of ten (10) years, a fine of \$10,000.00, and costs of \$362.50, with the Sentence Suspended, and the Defendant placed on community supervision for ten (10) years. As Special Instructions to Defendant's sentence she was ordered to serve 180 days in the Harris County Jail as a condition of probation with 1-day credit given. Defendant was also ordered to pay \$72,827.78 in restitution.

- (3) On or about January 30, 2004, Respondent, Sheila Denise Latham, was found guilty of Misapplication of Fiduciary Property, a Third Degree Felony, in Cause Number 949495 styled, *The State of Texas v. Sheila Denise Latham*, in the 180th District Court of Harris County, Texas, (the second criminal conviction). On or about January 30, 2004, the Court entered a Judgment on Plea Before Jury Court/Jury Assessing Punishment committing Respondent to the custody of the Institutional Division of the Texas Department of Criminal Justice to be imprisoned for a total term of ten (10) years, a fine of \$10,000.00, and costs of \$362.50, with the Sentence Suspended, and the Defendant placed on community supervision for ten (10) years.
- (4) On or about January 30, 2004, Respondent, Sheila Denise Latham, was found guilty of Misapplication of Fiduciary Property, a Third Degree Felony, in Cause Number 949496 styled, *The State of Texas v. Sheila Denise Latham*, in the 180th District Court of Harris County, Texas, (the third criminal conviction). On or about January 30, 2004, the Court entered a Judgment on Plea Before Jury Court/Jury Assessing Punishment committing Respondent to the custody of the Institutional Division of the Texas Department of Criminal Justice to be imprisoned for a total term of ten (10) years, a fine of \$10,000.00, and costs of \$362.50, with the Sentence Suspended, and the Defendant placed on community supervision for ten (10) years.
- (5) Respondent was personally served with the Petition for Compulsory Discipline on April 27, 2005, as attested to in the affidavit of Samuel Grimes on file with the Board of Disciplinary Appeals since May 4, 2005.

- (5) Respondent, Sheila D. Latham, is same person as the Sheila D. Latham, who is the subject of the criminal Judgments described above.
- (6) Respondent has appealed the criminal convictions.

Based upon the foregoing findings of facts the Board of Disciplinary Appeals made the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Rule 7.08(G), Texas Rules of Disciplinary Procedure.
- (2) The crimes for which Respondent has been convicted are intentional crimes as defined by TRDP 1.06(T).
- (3) Having been convicted of Intentional crimes with said convictions currently being on appeal, Respondent, Sheila D. Latham, should be suspended from the practice of law in Texas during the appeal of her criminal convictions. TRDP 8.04.
- (4) If any one of the criminal convictions described herein of Respondent, Sheila D. Latham, is affirmed and becomes final, Respondent, Sheila D. Latham, should be disbarred. TRDP 8.05.

As a result of the foregoing Findings of Fact and Conclusions of Law, the Board of Disciplinary Appeals entered an Interlocutory Order of Suspension on or about June 26, 2005, which provided in pertinent part that Respondent's license to practice law would be suspended pending the outcome of her appeals of the convictions and that, upon conclusion of her appeals and in the event that any one of the convictions became final, Respondent would be disbarred.

As a result of the appeals by Respondent of the criminal convictions, a Mandate affirming the Judgments in the criminal cases was issued by The Fourteenth Court of Appeals on or about October 18, 2005. The Judgments in the criminal cases have now become final.

On the 2 day of March 2006, came on to be heard Petitioner's

Motion for Entry of Judgment of Disbarment. The Board, having considered such Motion, finds that said Motion should be in all things GRANTED.

The Board finds that Respondent's convictions for which she was sentenced in the 180th District Court of Harris County, Texas, have become final and that a judgment of disbarment should be entered.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Sheila D. Latham, State Bar Card No. 11975700, be and she is hereby DISBARRED from the practice of law in the State of Texas and her license to practice law in this state be and is hereby revoked.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Sheila D. Latham, is hereafter permanently prohibited, effective immediately, from practicing law in Texas, holding herself 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 herself out to others or using her name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, Sheila D. Latham, not later than thirty (30) days from the date of the entry of this judgment, 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 has any legal matter pending, if any, of her disbarment, 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 Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Sheila D. Latham, shall immediately notify each of her current clients, if any, in writing, of her disbarment. 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 her 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 her disbarment 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 her 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 Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Sheila D. Latham, immediately surrender her Texas law license and permanent State Bar Card to the Office of the Chief Disciplinary Counsel, State Bar of Texas, P. O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

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

Signed this 2 day of MARCH 2006.

*John S. Han*

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Chair Presiding  
BOARD OF DISCIPLINARY APPEALS