



FILED

Mar 05 2026

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

No. 72285

**Before the Board of Disciplinary Appeals
Appointed by
The Supreme Court of Texas**

CURTIS LILLY

STATE BAR OF TEXAS CARD No. 24030063,

APPELLANT

V.

COMMISSION FOR LAWYER DISCIPLINE,

APPELLEE

*On Appeal from an Evidentiary Panel
For the State Bar of Texas District 6
No. 202205839 [Doss]*

APPELLEE'S OPPOSED MOTION TO DISMISS FOR WANT OF JURISDICTION

SEANA WILLING
CHIEF DISCIPLINARY COUNSEL

MICHAEL G. GRAHAM
APPELLATE COUNSEL

ROYCE LEMOINE
DEPUTY COUNSEL FOR
ADMINISTRATION

OFFICE OF THE CHIEF DISCIPLINARY
COUNSEL
COMMISSION FOR LAWYER DISCIPLINE
STATE BAR OF TEXAS
P.O. Box 12487
AUSTIN, TEXAS 78711-2487
Michael.Graham@texasbar.com
T: (512) 427-1350; (877) 953-5535
F: (512) 427-4253

No. 72285

**Before the Board of Disciplinary Appeals
Appointed by
The Supreme Court of Texas**

CURTIS LILLY

STATE BAR OF TEXAS CARD NO. 24030063,

APPELLANT

V.

COMMISSION FOR LAWYER DISCIPLINE,

APPELLEE

*On Appeal from an Evidentiary Panel
For the State Bar of Texas District 6
No. 202205839 [Doss]*

APPELLEE’S OPPOSED MOTION TO DISMISS FOR WANT OF JURISDICTION

TO THE HONORABLE BOARD OF DISCIPLINARY APPEALS:

Appellee, the Commission for Lawyer Discipline (the “Commission”), asks the Board, pursuant to Rules 2.20 & 2.23 of the Texas Rules of Disciplinary Procedure and Rules 1.02, 4.01 & 4.09(a) of the Supreme Court of Texas Board of Disciplinary Appeals Internal Procedural Rules, to dismiss Appellant’s appeal for want of jurisdiction.

I.

On **September 22, 2025**, the Chairperson of an Evidentiary Panel for State Bar of Texas District 6 signed a Judgment of Disbarment against Appellant, Curtis Lilly (“Lilly”), in Case No. 202205839, styled *Commission for Lawyer Discipline v. Curtis Lilly*. The Chair forwarded the Judgment to counsel for the Commission, as well as to Lilly via electronic mail. *See* E-mail dated September 22, 2025, with attached Judgment. [Exh. A] [Supp CR 9-15; 17-21].

On **September 26, 2025**, the clerk of the evidentiary panel sent a copy of the Judgment along with a letter setting forth the rules regarding perfecting any appeal to Lilly via electronic mail to clilly1@hotmail.com & clilly@clillylaw.com. *See* E-mail dated September 26, 2025, with attachments. [Exh. B]; [Supp CR 23-32].

On October 23, 2025, Lilly filed his Motion for New Trial with the evidentiary panel. *See* E-mail dated October 23, 2025, with attached motion and file-stamped motion. [Exh. C] [CR 1104-11; 1113-18]. The Clerk’s Record in this matter appears to indicate that the evidentiary panel held a hearing on Lilly’s motion for new trial via Zoom on December 16, 2025. [CR 1129-31; 1152-53]. Lilly filed his Notice of Appeal on **December 16, 2025**, submitting same by electronic mail to the Board. [Exh. D]. On January 2, 2026, the evidentiary panel issued its Order denying Lilly’s motion for new trial. [CR 1200-01; 1203; 1205-06].

II.

A motion for new trial from an evidentiary panel judgment must be filed within **thirty (30)** days after the date the judgment is signed. *See* TEX. RULES DISCIPLINARY P. R. 2.21; TEX. R. CIV. P. 329b(a); TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.01(a). Here Lilly did not timely file his motion for new trial – as he filed it **thirty-one (31)** days after the Judgment was signed. *Id.*; *see e.g., Smith v. Comm’n for Lawyer Discipline*, 42 S.W.3d 362, 363 (Tex.App. – Houston [14th Dist. 2001, no pet.).

A notice of appeal from an evidentiary judgment must be filed within **thirty (30)** days after the date the judgment is signed, unless a timely motion for new trial or motion to modify the judgment has been filed. *See* TEX. RULES DISCIPLINARY P. R. 2.23; TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.01(a), (c), (d). If a timely motion for new trial or motion to modify the judgment has been filed, the notice of appeal must be filed within ninety (90) days after the date of judgment. *Id.*

III.

Because the Judgment was signed and entered against Lilly on September 22, 2025, and he did not timely file his motion for new trial, Lilly’s notice of appeal was due on or before **October 22, 2025**. TEX. RULES DISCIPLINARY P. R. 2.23; TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.01(a), (c), (d). But as explained above, Lilly did not file his notice of appeal until **December 16, 2025**. [Exh. D]. Additionally,

while Lilly’s Notice of Appeal indicates that “The judgment or order appealed from was signed on 12/16/2025...” this is inaccurate because as noted above, the Judgment was in fact signed on **September 22, 2025**.

Where, as here, an appellant fails to timely perfect his appeal, the appellate court does not acquire jurisdiction over the appeal and must dismiss for lack of jurisdiction. TEX. RULES DISCIPLINARY P. R. 2.23; TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.01(a), (d); *see, e.g., Florance v. State*, 352 S.W.3d 867, 871 & 74-75 (Tex.App. – Dallas 2011, no pet.).

CONCLUSION AND PRAYER

For these reasons, the Commission prays that the Board dismiss this appeal for want of jurisdiction.

RESPECTFULLY SUBMITTED,

SEANA WILLING
CHIEF DISCIPLINARY COUNSEL

ROYCE LEMOINE
DEPUTY COUNSEL FOR ADMINISTRATION

MICHAEL G. GRAHAM
APPELLATE COUNSEL

OFFICE OF THE CHIEF DISCIPLINARY
COUNSEL
STATE BAR OF TEXAS
P.O. BOX 12487
AUSTIN, TEXAS 78711
Michael.Graham@texasbar.com
T: (512) 427-1350; (877) 953-5535

F: (512) 427-4253



MICHAEL G. GRAHAM
STATE BAR CARD NO. 24113581
ATTORNEY FOR APPELLEE

CERTIFICATE OF CONFERENCE

I hereby certify that I attempted to confer with Appellant, Curtis Lilly, by email to clilly@clillylaw.com on March 4, 2026, regarding the substance of the foregoing motion. As of the filing of this motion, Mr. Lilly has not yet responded, so the motion is characterized as **opposed**.



MICHAEL G. GRAHAM
APPELLATE COUNSEL
STATE BAR OF TEXAS

CERTIFICATE OF SERVICE

This is to certify that the above and foregoing Appellee's Motion to Dismiss for Want of Jurisdiction has been served on Appellant, Curtis Lilly, by email to clilly@clillylaw.com, on the 5th day of March, 2026.



MICHAEL G. GRAHAM
APPELLATE COUNSEL
STATE BAR OF TEXAS

Exh. A

FILED

Brittany Paynton

Sep 22, 2025

From: Johnston, Coyt <CJohnston@thompsoncoe.com>
Sent: Monday, September 22, 2025 12:03 PM
To: Brittany Paynton
Cc: Kristin Brady; curtis lilly; Curtis Lilly
Subject: RE: Case No. 202205839 [April Doss] - Commission for Lawyer Disciplinary
Attachments: 2025-09-22 signed Judgment of Disbarment.pdf



Dallas Office
Chief Disciplinary Counsel

I made one small edit. It shows as a strike through.

**THOMPSON
COE**

Coyt Johnston • Partner
700 North Pearl Street, 25th Floor, Dallas, TX 75201
o: 214-292-3905
[bio](#) • [vCard](#) • [web](#)

From: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>
Sent: Monday, September 22, 2025 11:52 AM
To: Johnston, Coyt <CJohnston@thompsoncoe.com>
Cc: Kristin Brady <Kristin.Brady@TEXASBAR.COM>; curtis lilly <clilly1@hotmail.com>; Curtis Lilly <clilly@clillylaw.com>
Subject: Case No. 202205839 [April Doss] - Commission for Lawyer Discipline v. Curtis Lilly

Dear Mr. Johnston:

Enclosed for your signature as evidentiary panel chair, please find the disciplinary judgment as voted by your panel in the above-referenced case. If you agree, please sign the judgment as indicted and return to this office so that we may notify the parties of the final disposition. I have enclosed a copy of the Evidentiary Hearing Report for your reference.

Thank you for your continued involvement and dedication to the Texas attorney disciplinary system and please do not hesitate to contact our office should you have any questions.

Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

Confidentiality Notice: This e-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information exempt from disclosure under applicable law. Unauthorized review, use, disclosure, or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy the original and all copies of the message. Thank you.

Tax Advice Disclosure: Any U.S. federal tax advice contained in this communication, including any attachment(s), unless expressly

stated otherwise, was and is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any matters addressed herein.

**BEFORE THE DISTRICT 6 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 6-5
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER	§	
DISCIPLINE,	§	
Petitioner	§	
	§	
V.	§	CASE NO. 202205839
	§	
CURTIS LILLY,	§	
Respondent	§	

JUDGMENT OF DISBARMENT

Parties and Appearance

On September 16, 2025, came to be heard the above styled and numbered cause. Petitioner, Commission for Lawyer Discipline (“Petitioner”), appeared by and through its attorney of record and announced ready. Respondent, **CURTIS LILLY** (“Respondent”), Texas Bar Number **24030063**, appeared in person and announced ready.

Jurisdiction and Venue

The Evidentiary Panel 6-5, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 6, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Professional Misconduct

The Evidentiary Panel, having considered all of the pleadings, evidence, stipulations and argument, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

The Evidentiary Panel, having considered the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains his principal place of practice in Dallas County, Texas.
3. On March 25, 2022, April Doss (Doss) hired Respondent to represent her son, a juvenile at the time of representation, in a criminal matter. Doss paid \$1,500 for the representation.
4. Respondent failed to keep Doss reasonably informed about the status of her son's criminal matter and failed to promptly comply with reasonable requests for information from Doss.
5. Respondent failed to deposit legal fees paid by Doss in a separate trust account.
6. Respondent failed to hold funds belonging to clients separate from Respondent's own property.

Conclusions of Law

The Evidentiary Panel concludes that, based on foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.03(a) and 1.14(a).

Sanction

The Evidentiary Panel, having found Respondent has committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument and after having considered the factors in Rule 2.18 of the Texas Rule of Disciplinary Procedure, the Evidentiary Panel finds that proper discipline of the Respondent for each act of Professional Misconduct is **DISBARMENT**.

Disbarment

It is therefore **ORDERED, ADJUDGED** and **DECREED** that effective October 1, 2025, Respondent, CURTIS LILLY, State Bar Number 24030063, is hereby **DISBARRED** from the practice of law in the State of Texas.

It is further **ORDERED** Respondent is prohibited from practicing law in Texas, holding himself out as an attorney at law, performing any legal services 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 administrative body or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

Notification

It is further **ORDERED** Respondent shall immediately notify each of his current clients in writing of this disbarment. In addition to such notification, Respondent is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients and former clients in the Respondent's possession to the respective clients or former clients or to another attorney at the client's or former client's request.

Respondent is further **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) within thirty (30) days of the signing of this judgment by the Panel Chair, an affidavit stating that all current clients have been notified of Respondent's disbarment and that all files, papers, monies and other property belonging to all clients and former clients have been returned as ordered herein. If it is Respondent's assertion that at the time of disbarment he possessed no current clients and/or Respondent was not in possession of any files, papers, monies or other property belonging to clients, Respondent shall submit an affidavit attesting that, at the time of disbarment, Respondent had no current clients and did not possess any files, papers monies and other property belonging to clients.

It is further **ORDERED** Respondent shall, on or before thirty (30) days from the signing of this judgment by the Panel Chair, notify in writing each and every justice of the peace, judge,

magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has 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 is representing.

Respondent is further **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), within thirty (30) days of the signing of this judgment by the Panel Chair, an affidavit stating that each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice has received written notice of the terms of this judgment. If it is Respondent's assertion that at the time of disbarment he was not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice of any court or tribunal, Respondent shall submit an affidavit attesting to the absence of any such pending matter before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice.

Surrender of License

It is further **ORDERED** Respondent shall, within thirty (30) days of the signing of this judgment by the Panel Chair, 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 the State of Texas.

Publication

It is further **ORDERED** this disbarment shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly **DENIED**.

SIGNED this 22 day of September, 2025.

**EVIDENTIARY PANEL 6-5
DISTRICT NO. 6
STATE BAR OF TEXAS**

Coyt JOhnston

Digitally signed by: Coyt JOhnston
DN: CN = Coyt JOhnston email =
cjohnston@thompsoncoe.com C = US
O = Thompson Coe
Date: 2025.09.22 12:00:03 -05'00'

Coyt Johnston Jr.
District 6, Panel 6-5
Presiding Member

**BEFORE THE DISTRICT 6 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 6-5
STATE BAR OF TEXAS**



**Dallas Office
Chief Disciplinary Counsel**

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner**

§
§
§
§
§
§
§

V.

CASE NO. 202205839

**CURTIS LILLY,
Respondent**

JUDGMENT OF DISBARMENT

Parties and Appearance

On September 16, 2025, came to be heard the above styled and numbered cause. Petitioner, Commission for Lawyer Discipline (“Petitioner”), appeared by and through its attorney of record and announced ready. Respondent, CURTIS LILLY (“Respondent”), Texas Bar Number 24030063, appeared in person and announced ready.

Jurisdiction and Venue

The Evidentiary Panel 6-5, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 6, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Professional Misconduct

The Evidentiary Panel, having considered all of the pleadings, evidence, stipulations and argument, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

The Evidentiary Panel, having considered the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains his principal place of practice in Dallas County, Texas.
3. On March 25, 2022, April Doss (Doss) hired Respondent to represent her son, a juvenile at the time of representation, in a criminal matter. Doss paid \$1,500 for the representation.
4. Respondent failed to keep Doss reasonably informed about the status of her son's criminal matter and failed to promptly comply with reasonable requests for information from Doss.
5. Respondent failed to deposit legal fees paid by Doss in a separate trust account.
6. Respondent failed to hold funds belonging to clients separate from Respondent's own property.

Conclusions of Law

The Evidentiary Panel concludes that, based on foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.03(a) and 1.14(a).

Sanction

The Evidentiary Panel, having found Respondent has committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument and after having considered the factors in Rule 2.18 of the Texas Rule of Disciplinary Procedure, the Evidentiary Panel finds that proper discipline of the Respondent for each act of Professional Misconduct is **DISBARMENT**.

Disbarment

It is therefore **ORDERED, ADJUDGED and DECREED** that effective October 1, 2025, Respondent, CURTIS LILLY, State Bar Number 24030063, is hereby **DISBARRED** from the practice of law in the State of Texas.

It is further **ORDERED** Respondent is prohibited from practicing law in Texas, holding himself out as an attorney at law, performing any legal services 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 administrative body or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

Notification

It is further **ORDERED** Respondent shall immediately notify each of his current clients in writing of this disbarment. In addition to such notification, Respondent is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients and former clients in the Respondent's possession to the respective clients or former clients or to another attorney at the client's or former client's request.

Respondent is further **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) within thirty (30) days of the signing of this judgment by the Panel Chair, an affidavit stating that all current clients have been notified of Respondent's disbarment and that all files, papers, monies and other property belonging to all clients and former clients have been returned as ordered herein. If it is Respondent's assertion that at the time of disbarment he possessed no current clients and/or Respondent was not in possession of any files, papers, monies or other property belonging to clients, Respondent shall submit an affidavit attesting that, at the time of disbarment, Respondent had no current clients and did not possess any files, papers monies and other property belonging to clients.

It is further **ORDERED** Respondent shall, on or before thirty (30) days from the signing of this judgment by the Panel Chair, notify in writing each and every justice of the peace, judge,

magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has 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 is representing.

Respondent is further **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), within thirty (30) days of the signing of this judgment by the Panel Chair, an affidavit stating that each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice has received written notice of the terms of this judgment. If it is Respondent's assertion that at the time of disbarment he was not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice of any court or tribunal, Respondent shall submit an affidavit attesting to the absence of any such pending matter before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice.

Surrender of License

It is further **ORDERED** Respondent shall, within thirty (30) days of the signing of this judgment by the Panel Chair, 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 the State of Texas.

Publication

It is further **ORDERED** this disbarment shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly **DENIED**.

SIGNED this 22 day of September, 2025.

**EVIDENTIARY PANEL 6-5
DISTRICT NO. 6
STATE BAR OF TEXAS**

Coyt JOhnston

Digitally signed by: Coyt JOhnston
DN: CN = Coyt JOhnston email =
cjohnston@thompsoncoe.com C = US
O = Thompson Coe
Date: 2025.09.22 12:00:03 -05'00'

Coyt Johnston Jr.
District 6, Panel 6-5
Presiding Member

Exh. B

Sep 26, 2025

Brittany Paynton



Dallas Office
Chief Disciplinary Counsel

From: Brittany Paynton
Sent: Friday, September 26, 2025 12:42 PM
To: curtis lilly; Curtis Lilly
Cc: Kristin Brady
Subject: Case No. 202205839 [April Doss] - Commission for Lawyer Discipline v. Curtis Lilly
Attachments: 2025-09-26 Closing letter to Curtiss Lilly.pdf

Dear Curtis Lilly:

Attached please find a closing letter regarding the above-referenced matter.

Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

VIA E-MAIL: clilly1@hotmail.com; clilly@clillylaw.com

September 26, 2025

Curtis Lilly
P.O. Box 34741
Fort Worth, Texas 76162-4741

**Re: Case No. 202205839 [April Doss] - Commission for Lawyer Discipline v. Curtis Lilly;
Before the Evidentiary Panel of the State Bar District 6 Grievance Committee**

Dear Mr. Lilly:

After considering all of the evidence and testimony presented in the above-referenced Evidentiary Proceeding, the Evidentiary Panel determined that you have committed Professional Misconduct as set forth in the enclosed *Judgment of Disbarment*.

Pursuant to the Texas Rules of Disciplinary Procedure, you have a right to appeal the judgment. An appeal, if taken, is perfected when a written notice of appeal is filed with the Board of Disciplinary Appeals (BODA), P. O. Box 12426, Capitol Station, Austin, Texas 78711. The notice of appeal must be filed with BODA within thirty (30) days of the date the chair of the evidentiary panel signs the judgment. See BODA Internal Procedural Rule 4.01(d). Appeals are further governed by Tex. R. Disciplinary P. 2.24 and Section 4 of BODA's Internal Procedural Rules.

Please be advised that any judgment conditions requiring compliance, including payment of attorney's fees and costs, will be regularly monitored and enforced by the Office of the Chief Disciplinary Counsel. Contact Compliance Monitor, Heather White, at 877.953.5535, extension 1334, or Special Programs Coordinator, Jennifer Ibarra, at 877.953.5535, extension 1343, for further information.

If any sanction other than a private reprimand has been imposed, all documents, statements, and other information coming to the attention of the Evidentiary Panel may be made public.

Sincerely,

/s/Kristin V. Brady
Kristin V. Brady
Assistant Disciplinary Counsel

KB/bp

Enclosures: 1) Judgment of Disbarment; and 2) Evidentiary Hearing Report

**4201 Spring Valley Road, Suite 400, Dallas, TX 75244
(972) 383-2900, (972) 383-2978 (FAX)**

000024

**BEFORE THE DISTRICT 6 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 6-5
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner**

V.

**CURTIS LILLY,
Respondent**

§
§
§
§
§
§
§

CASE NO. 202205839

JUDGMENT OF DISBARMENT

Parties and Appearance

On September 16, 2025, came to be heard the above styled and numbered cause. Petitioner, Commission for Lawyer Discipline (“Petitioner”), appeared by and through its attorney of record and announced ready. Respondent, **CURTIS LILLY** (“Respondent”), Texas Bar Number **24030063**, appeared in person and announced ready.

Jurisdiction and Venue

The Evidentiary Panel 6-5, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 6, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Professional Misconduct

The Evidentiary Panel, having considered all of the pleadings, evidence, stipulations and argument, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

The Evidentiary Panel, having considered the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains his principal place of practice in Dallas County, Texas.
3. On March 25, 2022, April Doss (Doss) hired Respondent to represent her son, a juvenile at the time of representation, in a criminal matter. Doss paid \$1,500 for the representation.
4. Respondent failed to keep Doss reasonably informed about the status of her son's criminal matter and failed to promptly comply with reasonable requests for information from Doss.
5. Respondent failed to deposit legal fees paid by Doss in a separate trust account.
6. Respondent failed to hold funds belonging to clients separate from Respondent's own property.

Conclusions of Law

The Evidentiary Panel concludes that, based on foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.03(a) and 1.14(a).

Sanction

The Evidentiary Panel, having found Respondent has committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument and after having considered the factors in Rule 2.18 of the Texas Rule of Disciplinary Procedure, the Evidentiary Panel finds that proper discipline of the Respondent for each act of Professional Misconduct is **DISBARMENT**.

Disbarment

It is therefore **ORDERED, ADJUDGED** and **DECREED** that effective October 1, 2025, Respondent, CURTIS LILLY, State Bar Number 24030063, is hereby **DISBARRED** from the practice of law in the State of Texas.

It is further **ORDERED** Respondent is prohibited from practicing law in Texas, holding himself out as an attorney at law, performing any legal services 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 administrative body or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

Notification

It is further **ORDERED** Respondent shall immediately notify each of his current clients in writing of this disbarment. In addition to such notification, Respondent is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients and former clients in the Respondent's possession to the respective clients or former clients or to another attorney at the client's or former client's request.

Respondent is further **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) within thirty (30) days of the signing of this judgment by the Panel Chair, an affidavit stating that all current clients have been notified of Respondent's disbarment and that all files, papers, monies and other property belonging to all clients and former clients have been returned as ordered herein. If it is Respondent's assertion that at the time of disbarment he possessed no current clients and/or Respondent was not in possession of any files, papers, monies or other property belonging to clients, Respondent shall submit an affidavit attesting that, at the time of disbarment, Respondent had no current clients and did not possess any files, papers monies and other property belonging to clients.

It is further **ORDERED** Respondent shall, on or before thirty (30) days from the signing of this judgment by the Panel Chair, notify in writing each and every justice of the peace, judge,

magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has 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 is representing.

Respondent is further **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), within thirty (30) days of the signing of this judgment by the Panel Chair, an affidavit stating that each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice has received written notice of the terms of this judgment. If it is Respondent's assertion that at the time of disbarment he was not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice of any court or tribunal, Respondent shall submit an affidavit attesting to the absence of any such pending matter before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice.

Surrender of License

It is further **ORDERED** Respondent shall, within thirty (30) days of the signing of this judgment by the Panel Chair, 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 the State of Texas.

Publication

It is further **ORDERED** this disbarment shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly **DENIED**.

SIGNED this 22 day of September, 2025.

**EVIDENTIARY PANEL 6-5
DISTRICT NO. 6
STATE BAR OF TEXAS**

Coyt Johnston Jr.
District 6, Panel 6-5
Presiding Member

EVIDENTIARY HEARING REPORT

PANEL: 6-5 COMMITTEE: 6 HEARING DATE: 09/16/2025
CASE NOS: 202205839 STYLE: Commission for Lawyer Discipline v. Curtis Lilly, Respondent; Before the State Bar District No. 6 Grievance Committee
LOCATION: Video Conference
COURT: Leigh & Associates Court Reporting and Video, 911 West Loop 281, Suite 211, Longview, Texas 75604
REPORTER: (903) 295-2955

PANEL MEMBERS (INDICATE ATTY OR PUBLIC). Please note presiding member with an asterisk (*).

Table with 3 columns: Member Name, Role, Status. Includes Mr. Coyt Randal Johnston (Atty, Present), Ms. Adam L. Seidel (Atty, Present), Ms. Andrew A. Jones (Atty, Present), Ms. William Marple (Atty, Present), Mr. Michael Lyle Hutton (Public, Present), Mr. Carlos A. Quinones (Public, Present).

I. TYPE OF HEARING: (Check One)

- X Evidentiary and Sanction
Continued Evidentiary and Sanction
Sanction Only
Default

II. HEARING RESULT: (Check One)

- Hearing Continued
Dismissed
Default Granted
Default Denied
X Professional Misconduct Found (If selected, please continue)

PROFESSIONAL MISCONDUCT FOUND

The Panel finds the following Disciplinary Rules were violated:

1.03(a) & 1.15(a)

III. SANCTIONS: (Check One)

- Private Reprimand
Public Reprimand
X Disbarment
Suspension: (If selected, please choose one of the following: Fully Active, Fully Probated or Partially Probated)
Fully Active Suspension: Length: Beginning:
Fully Probated Suspension: 000030

Length: _____

Beginning: _____

Partially Probated Suspension:

Total Length: _____

Length of Active Portion: _____

Beginning of Active Portion: _____

Length of Probated Portion: _____

Beginning of Probated Portion: _____

Probated portion conditioned upon compliance with the following terms:

_____ Payment of restitution

_____ Payment of attorney's fees/cost

_____ Other: _____

ANCILLARY SANCTIONS

_____ CFLD attorney's fees:

Amount: _____ Payable: _____
(Date)

_____ CFLD Costs:

Amount: _____ Payable: _____
(Date)

_____ Restitution payable to: _____

Amount: _____ Payable: _____
(Date)

STANDARD TERMS AND CONDITIONS OF PROBATION

- Respondent shall not engage in professional misconduct during term of probation.
- Respondent shall not violate any state or federal criminal statutes during term of probation.
- Respondent shall keep State Bar of Texas membership notified of current address and telephone number.
- Respondent shall comply with Minimum Continuing Legal Education requirements during term of probation.
- Respondent shall comply with IOLTA requirements during term of probation.
- Respondent shall respond to any request for information from the Grievance Committee or Chief Disciplinary Counsel during term of probation.

ADDITIONAL TERMS AND CONDITIONS

Please check all terms and conditions the Panel finds appropriate:

_____ ADDITIONAL CONTINUING LEGAL EDUCATION COURSES AS FOLLOWS:

Areas of Law	No. of Hours	Deadline
_____	_____	_____

_____ PSYCHOLOGICAL EVALUATION REPORTS (Utilize only if supported by evidence of Mental Illness)

Evaluation Deadline

Frequency

_____ SUBSTANCE ABUSE TESTING (Utilize only if supported by evidence of Substance Abuse)

Start Date

End Date

Frequency

_____ LAW OFFICE MANAGEMENT CONTINUING LEGAL EDUCATION COURSES

No. of hours

Deadline

_____ TRUST ACCOUNT REPORTING (Utilize only if supported by evidence of Trust Account Violation)

Start Date

Frequency

_____ TRUST ACCOUNT AUDIT (Utilize only if supported by evidence of Trust Account Violation)

Deadline

OTHER: _____

By my signature below, I request the Office of the Chief Disciplinary Counsel to prepare a Judgment in accordance with this hearing report.

9/22/2025

(Date)

District No. 6, Panel 6-5
Coyt Randal Johnston
Presiding Member

Exh. C

Brittany Paynton

From: Curtis Lilly <clilly@clillylaw.com>
Sent: Thursday, October 23, 2025 11:34 PM
To: Johnston, Coyt
Cc: Brittany Paynton
Subject: RE: Case No. 202205839 [April Doss] - Commission for Lawyer Discipline v. Curtis Lilly Motion for New Trial
Attachments: Binder1.pdf

Please see attached .

From: Johnston, Coyt <CJohnston@thompsoncoe.com>
Sent: Monday, September 22, 2025 12:03 PM
To: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>
Cc: Kristin Brady <Kristin.Brady@TEXASBAR.COM>; curtis lilly <clilly1@hotmail.com>; Curtis Lilly <clilly@clillylaw.com>
Subject: RE: Case No. 202205839 [April Doss] - Commission for Lawyer Discipline v. Curtis Lilly

I made one small edit. It shows as a strike through.

THOMPSON
COE

Coyt Johnston • Partner
700 North Pearl Street, 25th Floor, Dallas, TX 75201
o: 214-292-3905
[bio](#) • [vCard](#) • [web](#)

From: Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>
Sent: Monday, September 22, 2025 11:52 AM
To: Johnston, Coyt <CJohnston@thompsoncoe.com>
Cc: Kristin Brady <Kristin.Brady@TEXASBAR.COM>; curtis lilly <clilly1@hotmail.com>; Curtis Lilly <clilly@clillylaw.com>
Subject: Case No. 202205839 [April Doss] - Commission for Lawyer Discipline v. Curtis Lilly

Dear Mr. Johnston:

Enclosed for your signature as evidentiary panel chair, please find the disciplinary judgment as voted by your panel in the above-referenced case. If you agree, please sign the judgment as indicted and return to this office so that we may notify the parties of the final disposition. I have enclosed a copy of the Evidentiary Hearing Report for your reference.

Thank you for your continued involvement and dedication to the Texas attorney disciplinary system and please do not hesitate to contact our office should you have any questions.

Brittany Paynton
Office of the Chief Disciplinary Counsel
State Bar of Texas
4201 Spring Valley Road, Suite 400
Dallas, TX 75244
972-383-2900- Office
Brittany.Paynton@texasbar.com

Confidentiality Notice: This e-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information exempt from disclosure under applicable law. Unauthorized review, use, disclosure, or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy the original and all copies of the message. Thank you.

Tax Advice Disclosure: Any U.S. federal tax advice contained in this communication, including any attachment(s), unless expressly stated otherwise, was and is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any matters addressed herein.

**BEFORE THE DISTRICT 6 GRIEVANCE
COMMITTEE EVIDENTIARY PANEL 6
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER	§
DISCIPLINE,	§
Petitioner	§
V.	§
	§ CASE NO. 202205839
	§
CURTIS LILLY,	§
Respondent	§

DEFENDANT’S MOTION FOR NEW TRIAL

NOW COMES the Defendant, Curtis Lilly, and pursuant 329b, files this Motion for a New Trial. In support thereof, Defendant states as follows:

INTRODUCTION

A new trial is warranted when, as here, the interests of justice demand it. The Defendant was deprived of a fair trial due to a combination of extraordinary and unforeseeable circumstances: (1) a severe medical emergency that prevented him from meaningfully assisting in his own defense; (2) a member of the panel made inappropriate comments towards the Defendant violating 3.05 and 4.04 of the Texas Disciplinary Rules of Professional Conduct breaking the Decorum of the proceeding; and (3) the cumulative effect of these errors, which fundamentally undermined the integrity of the verdict.

STATEMENT OF FACTS

1. In late July of 2025, the Defendant, Curtis Lilly suffered a server heart attack. This medical event required emergency hospitalization for 7 days, air transport of the Defendant to an emergency facility, several invasive surgical procedures, intensive care, and led to significant complications, including but not limited to complications including severe fatigue, cognitive impairment ("brain fog") and respiratory issues.
2. Due to this medical crisis, the Defendant was physically and mentally incapacitated during the critical pre-trial and trial phases. He was unable to review discovery materials, provide crucial documents or give coherent and necessary testimony in his own defense. The Defendant attended the trial and announced he was not ready, however the panel proceeded. The Defendant was in pain, heavily medicated and clearly not feeling well.

3. Furthermore at the trial, it was discovered that a panel member displayed clear bias by his comments. Specifically, the juror made a derogatory comment toward the Defendant while the defendant was discussing his medical condition. This was a direct violation of the Court's explicit pre-trial instructions and comments made to the Defendant reprimanding the Defendant about questions to a Plaintiff witness that appeared to be uninformed about criminal procedure in juvenile courts in Texas.

ARGUMENT

I. THE DEFENDANT'S SEVERE MEDICAL CONDITION DEPRIVED HIM OF HIS CONSTITUTIONAL RIGHT TO ASSIST IN HIS OWN DEFENSE AND DUE PROCESS.

A defendant has a Sixth Amendment right to be present and to assist in his own defense. A new trial is warranted when a defendant is unable to participate in his defense due to factors beyond his control.

- Legal Standard: A defendant is entitled to a new trial if he can demonstrate that (1) he was unable to assist in his defense due to a severe physical or mental impairment, and (2) this inability prejudiced his case. See *United States v. Gagnon*, 470 U.S. 522 (1985).
- Application: Here, the Defendant's heart attack and subsequent complications were a severe, unforeseen physical impairment. During this period, he could not:
 - Locate and provide exculpatory documents.
 - Issue subpoena to witnesses.
 - Formulate a coherent narrative or strategy.

The Defendant was prepared to testify, under oath, that the Plaintiff's witness provided materially false statements regarding their prior communications. Contrary to the witness's claims, the Defendant had multiple documented conversations with her concerning the case and the payment of legal fees. The witness herself acknowledged these discussions but demanded information that was not in the possession of Defendant at the time, information that could have been readily clarified by the Presiding Judge or the Court Coordinator. Furthermore, the Defendant would have introduced supporting documentation showing that his email service provider ceased operations, resulting in the loss of approximately five years' worth of electronic data, including emails, contacts, and calendar entries. The Defendant undertook extensive efforts to recover this data, which explains the absence of certain records and further undermines the credibility of the Plaintiff's witness's assertions. However, the Defendant's for Nmedical condition rendered him incapable of doing so effectively before the trial.

- The prejudice is clear: without the Defendant's full faculties and assistance, he was unable to present a complete defense. The verdict is therefore a product of this incapacity, not a true adjudication of the facts.

II. A PANEL MEMBERS MISCONDUCT VIOLATED THE DEFENDANT'S RIGHT TO AN IMPARTIAL JURY AND A FAIR TRIAL.

A Panel members misconduct that introduces extrinsic, prejudicial information into deliberations is a classic ground for a new trial.

- Legal Standard: When a panel member considers evidence not presented in court, it creates a presumption of prejudice that the Plaintiff must rebut. See *Riley v. State*, 889 S.W.2d 290 (Tex. Crim. App. 1994).
- Application: The Court repeatedly instructed the Plaintiff, Defendant and members of the Panel not to make inappropriate comments. The Panel member's comments were a flagrant violation of these instructions. This misconduct exposed the Panel to information that was not vetted by the rules of evidence, was potentially inflammatory, and deprived the Defendant of the opportunity to confront and rebut it.
- The Plaintiff cannot overcome the presumption of prejudice. The extrinsic information was directly related to the core issues of the case, and its influence on the jury's verdict cannot be discounted.

Legal Insufficiency of Evidence

The evidence presented at trial is legally insufficient to support the verdict. The Plaintiff bore the burden of proving each element of their claim by a preponderance of the evidence, and failed to meet that burden. Notably, the Plaintiff's own primary witness, under oath, corroborated the Defendant's testimony that she spoke to him multiple times by cell phone and that he sent multiple emails to the witness. This directly undermines the Plaintiff's central allegation of non-communication.

Furthermore, both the Plaintiff's witness and the uncontroverted testimony of the Defendant confirmed that the Defendant spent over an hour explaining the relevant procedures in the Dallas County Juvenile Courts. The witness's dissatisfaction with the answers provided does not constitute a violation of any Disciplinary Rule, nor does it form a valid basis for sanctions.

Given that the Plaintiff's case was affirmatively contradicted by its own witness, no reasonable factfinder could have concluded in the Plaintiff's favor. Accordingly, judgment should be rendered for the Defendant.

Factual Insufficiency of Evidence

Alternatively, the panel's finding is so against the great weight and preponderance of the evidence as to be manifestly unjust and factually insufficient. The only direct and uncontroverted

evidence on the central issue of whether there was communicated established that the Defendant acted as reasonable attorney in that position. The Plaintiff provided no credible evidence to contradict this fact, which was attested to by both the Defendant and the Plaintiff's witness. To ignore this conclusive testimony renders the verdict clearly wrong and unfair.

Excessive and Inadequate Penalties

Excessive and Inadequate Penalties. The penalties assed are excessive and not supported by the facts adduced at trial. Given the testimony confirming the Defendant's proactive treatment of the Plaintiff witness and repeated efforts to communicate, any finding sanctioning the Defendant is questionable, and the resulting penalty is grossly disproportionate. The sanction shocks the conscience and appears to have been the product of passion or prejudice, rather than a rational assessment of the evidence, which demonstrated the Defendant's good-faith compliance.

III. THE CUMULATIVE EFFECT OF THESE ERRORS DENIED THE DEFENDANT A FAIR TRIAL.

Even if each error, standing alone, were deemed insufficient, their cumulative effect requires a new trial.

- Legal Standard: The cumulative effect of multiple trial errors can create an atmosphere of unfairness that violates a defendant's right to due process, even if no single error would be reversible. See *Chambers v. Mississippi*, 410 U.S. 284 (1973)].
- Application: The combination of the Defendant's incapacitating illness and a panel members misconduct created a perfect storm of unfairness. The defense was hobbled from within, while the panel was potentially poisoned from without. Under these circumstances, the verdict cannot be trusted.

REQUEST FOR EVIDENTIARY HEARING

Defendant respectfully requests an evidentiary hearing to fully develop the factual record concerning these issues. At this hearing, Defendant will present:

1. Medical Testimony and Records: The testimony of the Defendant's treating physician(s) and certified medical records to substantiate the severity and timing of his medical condition and its impact on his cognitive and physical abilities.

2. Juror Testimony: Testimony from a panel member, subject to the Court's procedures for investigating panel misconduct, to establish the nature and extent of the misconduct.

CONCLUSION

For the foregoing reasons, Defendant, Curtis Lilly respectfully requests that this Honorable Court grant him a new trial.

RESPECTFULLY SUBMITTED this 23 day of October 2025.



Curtis Lilly
clilly@clillylaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for New Trial has been served, via email on this 23 day of October, 2025.



VERIFICATION

STATE OF TEXAS

COUNTY OF DALLAS

My name is Curtis Lilly, my date of birth is 0x/2x/19x2, and my email address is clilly@clillylaw.com. I declare under penalty of perjury that the foregoing statements in the "Motion for New Trial" are true and correct to the best of my knowledge.

Executed in Dallas County, State of Texas, on the 22nd day of October 2025.

 _____
Declarant



Dallas Office
Chief Disciplinary Counsel

**BEFORE THE DISTRICT 6 GRIEVANCE
COMMITTEE EVIDENTIARY PANEL 6
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER	§
DISCIPLINE,	§
Petitioner	§
V.	§
	§ CASE NO. 202205839
	§
CURTIS LILLY,	§
Respondent	§

DEFENDANT’S MOTION FOR NEW TRIAL

NOW COMES the Defendant, Curtis Lilly, and pursuant 329b, files this Motion for a New Trial. In support thereof, Defendant states as follows:

INTRODUCTION

A new trial is warranted when, as here, the interests of justice demand it. The Defendant was deprived of a fair trial due to a combination of extraordinary and unforeseeable circumstances: (1) a severe medical emergency that prevented him from meaningfully assisting in his own defense; (2) a member of the panel made inappropriate comments towards the Defendant violating 3.05 and 4.04 of the Texas Disciplinary Rules of Professional Conduct breaking the Decorum of the proceeding; and (3) the cumulative effect of these errors, which fundamentally undermined the integrity of the verdict.

STATEMENT OF FACTS

1. In late July of 2025, the Defendant, Curtis Lilly suffered a server heart attack. This medical event required emergency hospitalization for 7 days, air transport of the Defendant to an emergency facility, several invasive surgical procedures, intensive care, and led to significant complications, including but not limited to complications including severe fatigue, cognitive impairment ("brain fog") and respiratory issues.
2. Due to this medical crisis, the Defendant was physically and mentally incapacitated during the critical pre-trial and trial phases. He was unable to review discovery materials, provide crucial documents or give coherent and necessary testimony in his own defense. The Defendant attended the trial and announced he was not ready, however the panel proceeded. The Defendant was in pain, heavily medicated and clearly not feeling well.

3. Furthermore at the trial, it was discovered that a panel member displayed clear bias by his comments. Specifically, the juror made a derogatory comment toward the Defendant while the defendant was discussing his medical condition. This was a direct violation of the Court's explicit pre-trial instructions and comments made to the Defendant reprimanding the Defendant about questions to a Plaintiff witness that appeared to be uninformed about criminal procedure in juvenile courts in Texas.

ARGUMENT

I. THE DEFENDANT'S SEVERE MEDICAL CONDITION DEPRIVED HIM OF HIS CONSTITUTIONAL RIGHT TO ASSIST IN HIS OWN DEFENSE AND DUE PROCESS.

A defendant has a Sixth Amendment right to be present and to assist in his own defense. A new trial is warranted when a defendant is unable to participate in his defense due to factors beyond his control.

- Legal Standard: A defendant is entitled to a new trial if he can demonstrate that (1) he was unable to assist in his defense due to a severe physical or mental impairment, and (2) this inability prejudiced his case. See *United States v. Gagnon*, 470 U.S. 522 (1985).
- Application: Here, the Defendant's heart attack and subsequent complications were a severe, unforeseen physical impairment. During this period, he could not:
 - Locate and provide exculpatory documents.
 - Issue subpoena to witnesses.
 - Formulate a coherent narrative or strategy.

The Defendant was prepared to testify, under oath, that the Plaintiff's witness provided materially false statements regarding their prior communications. Contrary to the witness's claims, the Defendant had multiple documented conversations with her concerning the case and the payment of legal fees. The witness herself acknowledged these discussions but demanded information that was not in the possession of Defendant at the time, information that could have been readily clarified by the Presiding Judge or the Court Coordinator. Furthermore, the Defendant would have introduced supporting documentation showing that his email service provider ceased operations, resulting in the loss of approximately five years' worth of electronic data, including emails, contacts, and calendar entries. The Defendant undertook extensive efforts to recover this data, which explains the absence of certain records and further undermines the credibility of the Plaintiff's witness's assertions. However, the Defendant's for Nmedical condition rendered him incapable of doing so effectively before the trial.

- The prejudice is clear: without the Defendant's full faculties and assistance, he was unable to present a complete defense. The verdict is therefore a product of this incapacity, not a true adjudication of the facts.

II. A PANEL MEMBERS MISCONDUCT VIOLATED THE DEFENDANT'S RIGHT TO AN IMPARTIAL JURY AND A FAIR TRIAL.

A Panel members misconduct that introduces extrinsic, prejudicial information into deliberations is a classic ground for a new trial.

- Legal Standard: When a panel member considers evidence not presented in court, it creates a presumption of prejudice that the Plaintiff must rebut. See *Riley v. State*, 889 S.W.2d 290 (Tex. Crim. App. 1994).
- Application: The Court repeatedly instructed the Plaintiff, Defendant and members of the Panel not to make inappropriate comments. The Panel member's comments were a flagrant violation of these instructions. This misconduct exposed the Panel to information that was not vetted by the rules of evidence, was potentially inflammatory, and deprived the Defendant of the opportunity to confront and rebut it.
- The Plaintiff cannot overcome the presumption of prejudice. The extrinsic information was directly related to the core issues of the case, and its influence on the jury's verdict cannot be discounted.

Legal Insufficiency of Evidence

The evidence presented at trial is legally insufficient to support the verdict. The Plaintiff bore the burden of proving each element of their claim by a preponderance of the evidence, and failed to meet that burden. Notably, the Plaintiff's own primary witness, under oath, corroborated the Defendant's testimony that she spoke to him multiple times by cell phone and that he sent multiple emails to the witness. This directly undermines the Plaintiff's central allegation of non-communication.

Furthermore, both the Plaintiff's witness and the uncontroverted testimony of the Defendant confirmed that the Defendant spent over an hour explaining the relevant procedures in the Dallas County Juvenile Courts. The witness's dissatisfaction with the answers provided does not constitute a violation of any Disciplinary Rule, nor does it form a valid basis for sanctions.

Given that the Plaintiff's case was affirmatively contradicted by its own witness, no reasonable factfinder could have concluded in the Plaintiff's favor. Accordingly, judgment should be rendered for the Defendant.

Factual Insufficiency of Evidence

Alternatively, the panel's finding is so against the great weight and preponderance of the evidence as to be manifestly unjust and factually insufficient. The only direct and uncontroverted

evidence on the central issue of whether there was communicated established that the Defendant acted as reasonable attorney in that position. The Plaintiff provided no credible evidence to contradict this fact, which was attested to by both the Defendant and the Plaintiff's witness. To ignore this conclusive testimony renders the verdict clearly wrong and unfair.

Excessive and Inadequate Penalties

Excessive and Inadequate Penalties. The penalties assed are excessive and not supported by the facts adduced at trial. Given the testimony confirming the Defendant's proactive treatment of the Plaintiff witness and repeated efforts to communicate, any finding sanctioning the Defendant is questionable, and the resulting penalty is grossly disproportionate. The sanction shocks the conscience and appears to have been the product of passion or prejudice, rather than a rational assessment of the evidence, which demonstrated the Defendant's good-faith compliance.

III. THE CUMULATIVE EFFECT OF THESE ERRORS DENIED THE DEFENDANT A FAIR TRIAL.

Even if each error, standing alone, were deemed insufficient, their cumulative effect requires a new trial.

- Legal Standard: The cumulative effect of multiple trial errors can create an atmosphere of unfairness that violates a defendant's right to due process, even if no single error would be reversible. See *Chambers v. Mississippi*, 410 U.S. 284 (1973)].
- Application: The combination of the Defendant's incapacitating illness and a panel members misconduct created a perfect storm of unfairness. The defense was hobbled from within, while the panel was potentially poisoned from without. Under these circumstances, the verdict cannot be trusted.

REQUEST FOR EVIDENTIARY HEARING

Defendant respectfully requests an evidentiary hearing to fully develop the factual record concerning these issues. At this hearing, Defendant will present:

1. Medical Testimony and Records: The testimony of the Defendant's treating physician(s) and certified medical records to substantiate the severity and timing of his medical condition and its impact on his cognitive and physical abilities.

2. Juror Testimony: Testimony from a panel member, subject to the Court's procedures for investigating panel misconduct, to establish the nature and extent of the misconduct.

CONCLUSION

For the foregoing reasons, Defendant, Curtis Lilly respectfully requests that this Honorable Court grant him a new trial.

RESPECTFULLY SUBMITTED this 23 day of October 2025.



Curtis Lilly
clilly@clillylaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for New Trial has been served, via email on this 23 day of October, 2025.



VERIFICATION

STATE OF TEXAS

COUNTY OF DALLAS

My name is Curtis Lilly, my date of birth is 0x/2x/19x2, and my email address is clilly@clillylaw.com. I declare under penalty of perjury that the foregoing statements in the "Motion for New Trial" are true and correct to the best of my knowledge.

Executed in Dallas County, State of Texas, on the 22nd day of October 2025.


Declarant

Exh. D

From: [TXBODA Filing](#)
To: [Curtis Lilly](#); [Michael Graham](#)
Cc: [Lauren Baisdon](#); [Jenny Hodgkins](#); [Matthew Greer](#)
Subject: RE: Appeal CASE NO. 202205839
Date: Tuesday, December 16, 2025 2:25:30 PM
Attachments: [image001.png](#)
[Lilly 72285 Resp Notice of Appeal.pdf](#)

File stamped copy is attached. Was there a Motion for New Trial filed?



From: Curtis Lilly <clilly@clillylaw.com>
Sent: Tuesday, December 16, 2025 1:35 PM
To: TXBODA Filing <filing@txboda.org>
Subject: Appeal CASE NO. 202205839

#72285

**BEFORE THE DISTRICT 6 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 6-5
STATE BAR OF TEXAS**



F I L E D

Dec 16 2025

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

**COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner**

§
§
§
§
§
§
§
§
§

V.

CASE NO. 202205839

**CURTIS LILLY,
Respondent**

NOTICE OF APPEAL

Defendant, Curtis Lilly, party to this case, files this Notice of Appeal seeking to alter the trial court's judgment or other appealable order.

The trial court, trial court case number and style of this matter are shown in the above caption.

The judgment or order appealed from was signed on 12/16/2025.

Curtis Lilly desires to appeal the Disbarment

This appeal is being taken to the TXBOA.

This notice is being filed by Curtis Lilly.

A copy of this notice has been served on the court reporter responsible for preparation of the trial court record:

Respectfully submitted,

By: */s/ Curtis Lilly*
Curtis Lilly
Email: clilly@clillylaw.com

CERTIFICATE OF SERVICE

I certify that on December 16, 2025, a true and correct copy of Defendant's Notice of Appeal was served on Texas State Bar electronically through the electronic filing manager.

/s/ Curtis Lilly
Curtis Lilly