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Appointed by the Supreme Court of Texas

No. 72117

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

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**ANNETTE R. LOYD**

*STATE BAR OF TEXAS CARD No. 16731100,*

**APPELLANT**

**V.**

**COMMISSION FOR LAWYER DISCIPLINE,**

**APPELLEE**

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*On Appeal from an Evidentiary Panel  
For the State Bar of Texas District 7  
No. 202300582 [Elwaei]*

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**BRIEF OF APPELLEE**

**COMMISSION FOR LAWYER DISCIPLINE**

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*On Appeal from an Evidentiary Panel  
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---

**BRIEF OF APPELLEE  
COMMISSION FOR LAWYER DISCIPLINE**

---

TO THE HONORABLE BOARD OF DISCIPLINARY APPEALS:

Appellee, the Commission for Lawyer Discipline, submits this brief in response to the brief filed by Appellant, Annette R. Loyd. For clarity, this brief refers to Appellant as “Loyd” or “Appellant”, and Appellee as “the Commission.” References to the record are labeled: CR (clerk’s record); RR \_\_\_\_ (reporter’s record of default hearing held August 6, 2025, with page number(s) and/or exhibit reference(s), as appropriate); RR Ex. 5, (Commission’s Exhibit 5, admitted during the default hearing held August 6, 2025, and filed with the Board separately by

Appellee in this appeal)<sup>1</sup>; RR Ex. 6, (Commission’s Exhibit 6, admitted during the default hearing held August 6, 2025, and filed with the Board separately by Appellant in this appeal); and App \_\_\_\_ (appendix to this brief). References to Appellant’s Brief are labeled Apt. Br. \_\_\_\_\_. References to rules refer to the Texas Disciplinary Rules of Professional Conduct (or the “TDRPCs”) or the Texas Rules of Disciplinary Procedure (or the “TRDPs”), as appropriate<sup>2</sup>.

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<sup>1</sup> RR Ex. 5 will also appear herein as “App 2” (Appendix Item No. 2).

<sup>2</sup> *Reprinted in* TEX. GOV’T CODE ANN., tit. 2, subtit. G, app A (West 2026), and TEX. GOV’T CODE ANN., tit. 2, subtit. G, app A-1 (West 2026), respectively, unless noted otherwise.

## STATEMENT OF THE CASE

*Type of Proceeding:* Attorney Discipline

*Petitioner/Appellee:* The Commission for Lawyer Discipline

*Respondent/Appellant:* Annette R. Loyd

*Evidentiary Panel:* 7-1

*Judgment:* Default Judgment of Disbarment  
[App. 1] [CR 128-33]

*Violations found (Texas  
Disciplinary Rules of  
Professional Conduct):*

**Rule 1.06(b)(2):** A lawyer shall not represent a person if the representation of that person reasonably appears to be or become adversely limited by the lawyer's or law firm's responsibilities to another client or to a third person or by the lawyer's or law firm's own interests.

**Rule 1.06(d):** A lawyer who has represented multiple parties in a matter shall not thereafter represent any of such parties in a dispute among the parties arising out of the matter, unless prior consent is obtained from all such parties to the dispute.

**Rule 1.09(a)(3)<sup>3</sup>:** Without prior consent, a lawyer who personally has formerly represented a client in a matter shall not thereafter represent another person in a matter adverse to the former client if it is the same or a substantially related matter.

**Rule 8.04(a)(8):** A lawyer shall not fail to furnish to the Chief Disciplinary Counsel's office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so.

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<sup>3</sup> This refers to former TDRPC 1.09(a)(3), which was amended effective October 1, 2024. Current TDRPC 1.09(a) contains a similar requirement.

### **STATEMENT OF JURISDICTION**

The Board of Disciplinary Appeals has jurisdiction over this appeal from the decision of an evidentiary panel of the State Bar of Texas District 7 Grievance Committee pursuant to Rules 2.23 and 7.08(D) of the Texas Rules of Disciplinary Procedure.

### **STATEMENT AS TO ORAL ARGUMENT**

Appellant has not requested oral argument. Pursuant to Rule 4.06(b) of the Board's Internal Procedural Rules, Appellee believes oral argument is unnecessary in this case as the dispositive issues have been authoritatively decided, the facts and legal arguments are adequately presented in the briefs and record, and/or the Board's decisional process would not be significantly aided by oral argument. However, should the Board direct Appellant to appear and argue, Appellee requests the opportunity to respond.

### STATEMENT OF THE ISSUES

1. Loyd has waived all or some of her issues by failing to brief them properly.
2. Assuming *arguendo* Loyd's failure to brief her first issue properly did not waive that issue, the record still does not support her argument as:
  - A) The panel acted within its discretion in rejecting Loyd's explanations for her failure to file a responsive pleading; thus, she did not satisfy the first element of the *Craddock* test.
  - B) Loyd failed to establish any meritorious defense to her violations of TEX. DISCIPLINARY RULES PROF'L CONDUCT R. 1.06(b)(2), 1.06(d), 1.09(a)(3) or 8.04(a)(8), to warrant a new hearing; thus, she did not satisfy the second element of the *Craddock* test.
3. Loyd has waived her second issue by failing to brief any argument as to such issue.
4. Assuming *arguendo* Loyd's failure to brief her third issue properly did not waive that issue, the record still does not support her argument as the panel acted within its discretion in assessing disbarment as sanction for her Professional Misconduct.

## STATEMENT OF FACTS

On July 26, 2024, the Office of the Chief Disciplinary Counsel (the “CDC”) sent Loyd a Just Cause and Election letter regarding a Complaint filed against her by Walid Elwaei (“Elwaei”), predicated on her dual representation of Elwaei, as one of the sellers of a home, **and** the prospective buyers of the home, as well as her subsequent representation of the buyers in a lawsuit *against* Elwaei related to that same transaction (the “Elwaei Complaint”). [CR 7-13]. The Just Cause and Election letter advised Loyd that after the CDC’s investigation of the Elwaei Complaint, it had determined there was just cause to believe Loyd’s conduct had violated one or more conflicts provisions of the TDRPCs, as well as the failure to respond provision, and that she had twenty days from receipt of the letter to elect to proceed before an evidentiary panel, or in District Court. [Id.]. The record does not demonstrate that Loyd submitted any written response to the Just Cause and Election letter.

On August 23, 2024, the CDC sent a request for appointment of an evidentiary panel to the Chairperson of the District 7 Grievance Committee, to hear the case on the Elwaei Complaint; Loyd was copied by email. [CR 15-18]. And on August 27, 2024, the Chair of the District 7 Grievance Committee signed an Order Assigning Evidentiary Panel to hear the disciplinary proceeding against Loyd. [CR 23-24].

On October 11, 2024, the CDC filed an Evidentiary Petition and Request for Disclosure with the panel regarding the Elwaei Complaint (the “Evidentiary

Petition”). [CR 26-29]. In relevant part, the Evidentiary Petition’s factual allegations were that:

- 1) Elwaei hired Loyd on or about October 2019 to represent him in the sale of a home and paid her \$350 for that representation;
- 2) Loyd represented Elwaei regarding his interests in the home and the sale of the home;
- 3) Loyd also represented the buyers of the home regarding the sale, but did not explain the potential adverse consequences of the dual representation to the buyers and/or the sellers;
- 4) Loyd subsequently represented the buyers against Elwaei in a lawsuit filed in June 2022, regarding a dispute arising from the sale and purchase of the home;
- 5) Loyd’s subsequent representation of the buyers created a conflict of interest embodied in her representation of one former/current client, in litigation against another former client related to the same underlying matter;
- 6) After being notified of the Elwaei Complaint in February 2023, Loyd failed to provide a written response to the complaint, despite multiple reminder letters sent to her by the CDC.

-- [Id.].

The Evidentiary Petition further alleged that Loyd’s above-described conduct violated TDRPCs 1.06(b)(2); 1.06(d); 1.09(a)(3)<sup>4</sup>; and/or 8.04(a)(8). [Id.]. Loyd was personally served with the Evidentiary Petition via certified mail, return receipt requested, on or about October 22, 2024. [CR 31-38; 40].

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<sup>4</sup> See FN 3, *supra*.

On July 3, 2025, the CDC filed and sent Loyd by email to [arl@arloyd.com](mailto:arl@arloyd.com) and [annette@vaniceklaw.com](mailto:annette@vaniceklaw.com), copies of the Commission's Motion for Default Judgment, and Notice of Default Hearing set for August 6, 2025, at 1:30 P.M., via Zoom. [CR 42-58; 60-61; 63-83]. The Commission's Motion for Default Judgment sought entry of an order of default finding professional misconduct by Loyd based on the allegations in the Evidentiary Petition, taken as true due to Loyd's default, along with a determination of the appropriate sanction for said professional misconduct. [Id.].

On July 25, 2025, the CDC e-mailed Loyd a letter notifying her of a change in the makeup of the evidentiary panel. [CR 86-87]. And on July 30, 2025, the CDC emailed Loyd with Zoom instructions for the August 6<sup>th</sup> hearing. [CR 89-90].

Just after 12:00 P.M. on August 6, 2025 (a little over an hour before the default hearing and over 8 months after it was due), Loyd filed an Original Answer.<sup>5</sup> [CR 92-94; 96-97]. Loyd then appeared at the Zoom default hearing, representing herself. [RR 4]. The panel first heard and considered brief argument as to whether the default hearing should proceed and determined that it should. [RR 5-14]. And after further argument by the Commission on its motion for default, the panel found Loyd in default, determining that her conduct related to the Elwaei matter, as well as her

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<sup>5</sup> Loyd's Answer consisted of a general denial and a conclusory request that the panel deny the Commission's motion for default. [Id.].

failure to provide a response to the Elwaei Complaint, constituted violations of TDRPCs 1.06(b)(2), 1.06(d), 1.09(a)(3)<sup>6</sup>, and 8.04(a)(8). [RR 14-17 & 54; Exs. 1-4].

The panel then heard additional arguments and evidence as to the appropriate sanction for Loyd's professional misconduct. [RR 18-53]; [RR Ex. 5] [App 2]; [RR Ex. 6]. And Loyd was given the opportunity to cross-examine the Commission's witness who had recounted Loyd's prior disciplinary history, as well as to present her own argument and evidence as to the appropriate sanction. [RR 36-43]. At the completion of the hearing the panel determined that disbarment was the appropriate sanction, along with \$2,325.00 to the State Bar for attorney's fees and costs incurred in the disciplinary proceeding. [RR 53-55]. Accordingly, on August 15, 2025, the evidentiary panel issued its: (1) Order on Petitioner's Motion for Default Judgment [CR 135-136] [App 3]; and (2) its Default Judgment of Disbarment (the "Judgment of Disbarment"). [App. 1].

On September 15, 2025, Loyd filed her Motion for New Trial and Set Aside Default Judgment, and Motion for Reconsideration. [CR 225-32]. Along with her motion for new trial, she filed a declaration with attached exhibits in support of same. [CR 233-95]. The Commission filed its response to Loyd's motion for new trial on September 23, 2025. [CR 302-19]. After a Zoom hearing held on October 1, 2025,

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<sup>6</sup> See FN 3, *supra*.

the evidentiary panel issued its Order denying Loyd's motion for new trial. [CR 350].

Loyd filed her Notice of Appeal with the Board of Disciplinary Appeals ("BODA") on November 13, 2025, and this appeal followed.

## SUMMARY OF THE ARGUMENT

The Board should affirm the Judgment of Disbarment against Loyd. Loyd has not properly briefed her asserted issues and as such, has presented nothing for the Board to review and has waived such issues. Further, even if the Board were to determine that Loyd *had* met the applicable briefing requirements, the record does not support her arguments.

Loyd meets neither the first nor the second element of the *Craddock* test, and the panel acted within its discretion in denying her motion to set aside its judgment or grant her a new trial. Thus, Loyd's first issue fails. Further, Loyd has wholly failed to brief any argument regarding her stated issue related to legally and/or factually sufficient evidence to support the Judgment of Disbarment – as such, she has waived such argument. Thus, Loyd's second issue fails.

In her final issue, Loyd argues the sanction imposed by the panel was excessive. The record in this matter does not support her argument. The facts established in the case, in light of the sanctioning guidelines set forth in Part XV of the TRDPs, support the panel's sanction. Thus, Loyd's final issue also fails and the panel's Judgment of Disbarment should be affirmed in all respects.

## ARGUMENT

### **I. Loyd’s issues are not properly before the Board.**

Initially, the Commission notes that Loyd’s brief fails to properly present her issues for the Board’s review. Loyd’s brief does not include a “Statement of Facts” as required pursuant to the Board’s procedural rules regarding appellate briefing. *See* TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.05(c)(7) (requiring that a brief contain “a statement of facts that is without argument, is supported by record references, and details the facts relating to the issues or points relied on in the appeal”). And while Loyd’s brief *does* include a section titled “Procedural Background,” even if such section was meant to serve a similar function to that served by a “Statement of Facts,” it is not supported by any specific references to the record. [Apt. Br. 1-2]. In fact, Loyd’s brief does not contain **any** specific references to the record at all. [Apt. Br. *passim*].

By failing to brief her issues properly, Loyd has waived such issues. *See e.g., Izen v. Comm’n for Lawyer Discipline*, 322 S.W.3d 308, 321-22 & 25-26 (Tex.App.-Houston [1<sup>st</sup> Dist.] 2010, pet. denied); *Bolling v. Farmers Branch Indep. Sch. Dist.*, 315 S.W.3d 893, 895 (Tex.App. – Dallas 2010, no pet.); *see also* TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.05(c)(7); TEX. R. APP. P. 38.1(g), (i). “When an appellate issue is unsupported by argument or lacks citations to the record or legal authority, nothing is presented for review.” *Lohmann v. Sanchez*, No. 01-

19-00984-CV, 2021 WL 3043415, at \*4 (Tex.App. – Houston [1<sup>st</sup> Dist.] July 20, 2021, pet. denied) (mem. op.), citing *Fredonia State Bank v. Gen. Am. Life Ins. Co.*, 881 S.W.2d 279, 284-85 (Tex. 1994). In such situations a tribunal is placed in the untenable position of having to abandon its position as a neutral arbiter to become an advocate for the party whose briefing is insufficient. *Bolling*, 315 S.W.3d at 895; *see also Plummer v. Reeves*, 93 S.W.3d 930, 931 (Tex.App. – Amarillo 2003, pet. denied). The Board may affirm the panel’s Judgment of Disbarment for this reason alone. TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.09(c).

**II. Even if Loyd’s issues were properly briefed, the record still does not support her arguments.**

Even if Loyd’s failure to properly brief her issues had not waived her arguments, the record does not support them.

**A. Loyd’s 1<sup>st</sup> Issue: The evidentiary panel did not abuse its discretion by denying Loyd’s Motion for New Trial.**

The evidentiary panel acted within its discretion in denying Loyd’s motion for a new trial, “After considering [Loyd’s] motion, the Commission’s response, other evidence presented, and arguments of counsel.”<sup>7</sup> [CR 350]. Inquiries into a trial

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<sup>7</sup> To the extent the panel’s reference to “other evidence presented” means evidence presented during the hearing on Loyd’s motion for new trial, she has not brought forth a record of that hearing and/or any “other evidence presented” during same. When the record is incomplete, a reviewing court presumes that the missing portions support the ruling at issue. See e.g., *Travelers Indem. Co. of Rhode Island v. Starkey*, 157 S.W.3d 899, 904-05 (Tex.App. – Dallas 2005, pet. denied); *Williams Farms Produce Sales, Inc. v. R & G Produce Co.*, 443 S.W.3d 250, 257-58 (Tex.App. – Corpus Christi 2014, no pet.).

court's (or here, evidentiary panel's) denial of a motion for new trial following default are governed by the long-standing *Craddock* factors. *Craddock v. Sunshine Bus Lines, Inc.*, 133 S.W.2d 124, 126 (Tex. 1939). An evidentiary panel should grant a new trial only if the respondent attorney shows: (1) that the default was neither intentional nor the result of conscious indifference; (2) a meritorious defense; and (3) that a new trial would cause neither delay nor undue prejudice. *Id.*; *see also Fidelity and Guaranty Insurance Co. v. Drewery Construction Co.*, 186 S.W.3d 571, 574 (Tex. 2006). Appellate courts review a trial court's refusal to grant a motion for new trial for abuse of discretion. *DolgenCorp of Texas, Inc. v. Lerma*, 288 S.W.3d 922, 926 (Tex. 2009). When a defaulting party moving for a new trial meets **all three elements** of the *Craddock* test, then a trial court abuses its discretion if it fails to grant a new trial. *Id.* Here, Loyd **fails** to establish her entitlement to a new trial under the first and/or second *Craddock* factors, thus the Board should affirm.

1. *Loyd did not satisfy the first element of the Craddock test.*

The panel correctly denied Loyd's motion for new trial as she failed to establish that her failure to timely file an answer was neither intentional nor the result of conscious indifference. In general, courts view this factor with a significant degree of leniency: "Generally, some excuse, although not necessarily a good one, will suffice to show that a defendant's failure to file an answer was not because the

defendant did not care.” *Sutherland v. Spencer*, 376 S.W.3d 752, 755 (Tex. 2012) (quoting *In re R.R.*, 209 S.W.3d 112, 115 (Tex. 2006)).

This leniency, however, has its limits. A defendant satisfies her burden as to the first *Craddock* element when her factual assertions, if true, negate intentional or consciously indifferent conduct by the defendant **and** those factual assertions are not controverted by the plaintiff. See *Fidelity and Guar. Ins. Co.*, 186 S.W.3d at 576. In determining if the defendant's factual assertions are controverted, the court looks to all the evidence in the record. *In re R.R.*, 209 S.W.3d at 115 (citing *Dir., State Employees Workers' Comp. Div. v. Evans*, 889 S.W.2d 266, 269 (Tex. 1994)). When controverted, the question of whether the defendant's failure to act was intentional or the result of conscious indifference is a fact question to be resolved by the trial court (or here, the evidentiary panel). *Estate of Pollack v. McMurrey*, 858 S.W.2d 388, 391 (Tex. 1993). The trial court may reasonably believe, “[a]ll, none, or part of a witness's testimony...[and] can reasonably believe, based on contradictory evidence, that there was intentional or consciously indifferent conduct on the part of a defendant.” *Lynch v. Lynch*, 540 S.W.3d 107, 122 (Tex.App. – Houston [1st Dist.] 2017, pet. denied) (internal citations omitted).

Attorney disciplinary proceedings before evidentiary panels have specific rules applicable to defaults. Rule 2.17(C) governs defaults in disciplinary

proceedings before an evidentiary panel and does not afford discretion when a respondent attorney fails to timely answer:

A failure to file an answer within the time permitted constitutes a default, and all facts alleged in the Evidentiary Petition shall be taken as true for the purposes of the Disciplinary Proceeding. Upon a showing of default, the Evidentiary Panel shall enter an order of default with a finding of Professional Misconduct and shall conduct a hearing to determine the Sanctions to be imposed.

-- TEX. RULES DISCIPLINARY P. R. 2.17(C).

Further, the Rules make clear that the time requirement imposed by Rule 2.17(C) is *mandatory*. TEX. RULES DISCIPLINARY P. R. 17.05.

Loyd offers only one express argument as to the first *Craddock* element – that she “mistakenly” believed the Texas Rules of Civil Procedure foreclosed the Commission from taking a default judgment against her as long as she had an Answer on file prior to the default hearing. [Apt. Br. 3-4]. However, as is noted further below, Loyd has attempted this argument before – and to no avail.

- a. Loyd’s purported mistaken belief that a non-timely filed Answer would insulate her from default is not credible.

Loyd argues that her failure to timely file an answer should be excused because of her “mistaken belief” that her non-timely answer, filed just over an hour prior to the default hearing, would preempt a default ruling against her pursuant to the Texas Rules of Civil Procedure. [Apt. Br. 3-4]. The Commission contested this argument, both during the default hearing and in response to Loyd’s motion for a

new trial, and it became a fact question to be resolved by the panel. [RR 6-14]; [CR 322-39]. See *In re R.R., and Estate of Pollack, supra*. Factual determinations by an evidentiary panel are subject to the substantial evidence standard of review. TEX. GOV'T CODE ANN. §81.072(b)(7); TEX. RULES DISCIPLINARY P. R. 2.23.

The focus under the substantial-evidence standard is whether the record provides some reasonable basis for the action taken by an administrative body. *City of El Paso v. Pub. Util. Comm'n of Tex.*, 883 S.W.2d 179, 185 (Tex. 1994). The reviewing tribunal “must determine whether the evidence as a whole is such that reasonable minds could have reached the conclusion the [administrative body] must have reached in order to take the disputed action.” *Id.* at 186, citing *Texas State Bd. of Dental Examiners v. Sizemore*, 759 S.W.2d 114, 116 (Tex. 1988), *cert. denied*, 490 U.S. 1080 (1989). Moreover, the “findings, inferences, conclusions, and decisions of [the administrative body] are presumed to be supported by substantial evidence,” and the party challenging the decision bears the burden of proving otherwise. *Id.* (citations omitted).

“Substantial evidence requires only more than a mere scintilla, and ‘the evidence on the record actually may preponderate against the decision of [the administrative body] and nonetheless amount to substantial evidence.’” *R.R. Comm'n of Tex. v. Torch Operating Co.*, 912 S.W.2d 790, 792 (Tex. 1995), citing *Texas Health Facilities Comm'n v. Charter Medical – Dallas, Inc.*, 665 S.W.2d 446,

452 (Tex. 1984); *see also Wilson v. Comm'n for Lawyer Discipline*, BODA Case No. 46432, 2011 WL 683809, at \*2 (January 30, 2011). In determining whether there is substantial evidence to support the findings and conclusions of the administrative body, the reviewing court may not substitute its judgment for that of the administrative body and must consider only the record upon which the decision is based. *R.R. Comm'n of Tex.*, 912 S.W.2d at 792; *Tex. State Bd. of Dental Exam'rs*, 759 S.W.2d at 116. The ultimate question is not whether the panel's decision is correct, but only whether the record demonstrates a reasonable basis for its decision. *City of El Paso*, 883 S.W.2d at 185.

Here, there is substantial evidence in the record to support a conclusion by the panel that Loyd failed to show that her default was not intentional or the result of conscious indifference. The cover letter served on Loyd along with the evidentiary panel appointment and Evidentiary Petition specifically informed her of her obligation to *timely* file an answer, and the consequence if she failed to do so, by expressly pointing her to Rule 2.17(B).<sup>8</sup> [CR 31-38 & 40]; [RR Exs. 1 & 4]. Further, during the sanctions portion of the default hearing, the Commission admitted its Exhibit 5, consisting of seven (7), prior disciplinary judgments against Loyd – accompanied (as noted above) by the testimony of the CDC's grievance referral and

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<sup>8</sup> Loyd did not argue in her motion for new trial, nor does she argue in her brief, that she did not receive proper notice of the Commission's suit.

special programs administrator regarding same. [RR 18-39]; [App 2]. Four (4) of those judgments were entered against Loyd by default, with two (2) of *those* expressly noting that Loyd appeared at the relevant default and sanctions hearings having filed, as here, an untimely answer on the day of each such hearing. [Id.].

Loyd's prior disciplinary judgments consisted of:

- 1) *Default Judgment of Fully Probated Suspension (1 yr.)*; a default judgment issued on 8/17/04, in which Loyd wholly failed to appear; Complainant – former client; violations of TDRPC 1.01(b)(1) (neglecting legal matter entrusted to lawyer), 1.03(a) (failure to communicate with client), and 8.04(a)(8) (failure to timely respond to a disciplinary complaint). [App 2, pdf pp. 36-41].
- 2) *Default Judgment of Partially Probated Suspension (37 mos., 1 mo. active)*; a default judgment issued on 3/23/11, in which Loyd wholly failed to appear; Complainant – former client; violations of TDRPC 1.01(b)(2) (frequently failing to carry out obligations to client), 1.03(a) (failure to communicate with client), and 8.04(a)(8) (failure to timely respond to a disciplinary complaint). [App 2, pdf pp. 22-29].
- 3) *Judgment Revoking Probation and Actively Suspending Respondent from the Practice of Law (revoking probation from (2), above, 36 mos. active)*; a judgment issued on 7/6/11, in which Loyd appeared *pro se*; violations of terms of disciplinary judgment from (2), above. [App 2, pdf pp. 17-21].
- 4) *Agreed Judgment of Active Suspension (1 yr.)*<sup>9</sup>; Loyd appeared with counsel in this case and reached an agreement with the Commission resulting in an **agreed** judgment issued on 9/13/12; violations of TDRPC 8.04(a)(1) (violating the disciplinary rules), 8.04(a)(7) (violating a disciplinary judgment), 8.04(a)(8) (failure to timely respond to a disciplinary complaint), and 8.04(a)(11) (improperly engaging in the practice of law when inactive). [App 2, pdf pp. 30-35].

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<sup>9</sup> By its terms, this suspension ran concurrently with the active suspension arising from the prior judgment, described in (3), above, issued on 7/6/11.

- 5) *Default Judgment of Fully Probated Suspension (1 yr.)*; a default judgment issued on 1/16/19, in which Loyd appeared *pro se* and **filed an untimely answer on the date of the default hearing**, leading to a default as to Professional Misconduct; Complainant – former client; violations of TDRPC 1.01(b)(1) (neglecting legal matter entrusted to lawyer), 1.03(a) (failure to communicate with client), and 8.04(a)(8) (failure to timely respond to a disciplinary complaint). [App 2, pdf pp. 10-16].
- 6) *Judgment of Fully Probated Suspension (2 yrs.)*; a judgment issued on 2/14/19, in which Loyd appeared *pro se*; Complainant – former client; violations of TDRPC 1.01(b)(1) (neglecting legal matter entrusted to lawyer), 1.03(a) (failure to communicate with client), 1.03(b) (failure to explain legal matter to client), 8.04(a)(7) (violating a disciplinary judgment), and 8.04(a)(8) (failure to timely respond to a disciplinary complaint). [App 2, pdf pp. 2-9].
- 7) *Default Judgment of Active Suspension (3 yrs.)*; a default judgment issued on 11/18/22, in which Loyd appeared with counsel and **filed an untimely answer on the date of the default hearing**, leading to a default as to Professional Misconduct; Complainant – State Bar of Texas; violations of TDRPC 8.04(a)(7) (violating a disciplinary judgment), and 8.04(a)(8) (failure to timely respond to a disciplinary complaint). [App 2, pdf pp. 42-50].

Arguably, the evidence in the record demonstrates *conclusively* that Loyd **knew** that an untimely answer would not preclude a default judgment against her under the TRDPs, through her past experiences with prior disciplinary proceedings. That is: (1) on at least three prior occasions, she appeared in a *timely* manner, as the disciplinary judgments that were eventually issued **were not** taken by default; (2) on two prior occasions, she filed an *untimely* answer on the day of a default hearing, and a default disciplinary judgment was still taken against her; and (3) in the second of *those* two prior occasions, Loyd made the same argument she makes now regarding her “mistaken belief.” Indeed, in its response to Loyd’s motion for new

trial in the instant case, the Commission pointed out that in Loyd’s motion for new trial in that *second* of the two prior occasions in which she filed an untimely answer, she made the same argument she is making now and included her own affidavit (dated December 16, 2022) in which she **acknowledged** that TRDP 2.17 prescribes the time in which an answer must be filed in a disciplinary case before an evidentiary panel (as opposed to the Texas Rules of Civil Procedure). [CR 322-38]. All of the foregoing undercuts Loyd’s argument that she mistakenly believed that her untimely answer would prevent default.

And while a mistake of law *can* serve to demonstrate a lack of intent or conscious indifference, not all alleged mistakes of law *will*; rather, courts consider “the knowledge and acts of the particular defendant to determine whether a failure to answer was not intentional or the result of conscious indifference,” but due to mistake or accident. *In re Sandoval*, 619 S.W.3d 716, 721 (Tex. 2021) (citing *In re R.R.*, 209 S.W.3d at 115). Here, there was substantial evidence for the panel to find Loyd’s explanation that her failure to timely file an answer was a “mistaken” belief about the effect of her *untimely* answer was not credible.

- b. Loyd’s statement regarding her “anxiety and depression,” also does not satisfy the first element of the *Craddock* test.

Loyd also states that she suffers from “anxiety and depression coupled with low self-esteem that affects her ability to respond,” in proceedings of this nature; though she does not expressly argue such is a ground on which she satisfies the first

*Craddock* element. [Apt. Br. 4]. And again, she offers no citations to the record in support of this assertion, nor does she offer any authority in support thereof – as such, she has waived the issue.

But even if Loyd had not failed to sufficiently brief such an issue, the panel could reasonably have found on this record that she did not meet the first *Craddock* element through this argument either. The only potential evidence offered by Loyd on this point consisted of her own conclusory testimony regarding her alleged condition and its effects. [CR 233-35]. And Loyd offered no medical documentation or testimony that could even *potentially* corroborate such assertions.

In response to Loyd’s motion for new trial, the Commission controverted her argument that her “anxiety” caused her failure to timely answer the Commission’s Evidentiary Petition by again pointing to both her prior disciplinary history and specific pleadings she had filed in prior disciplinary litigation. [CR 302-19]. Such documents supported the Commission’s position that: (1) Loyd is able to obtain counsel for assistance [App 2, pdf pp. 30-35 & 42-50]; (2) Loyd is able to appear on her own behalf without default [App 2, pdf pp. 17-21 & 2-9]; (3) Loyd is able to reach agreement with the Commission without default [App 2, pdf pp. 30-35]; and (4) Loyd *is* able to appear and participate, with or without counsel, albeit untimely [App 2. 5, pdf pp. 10-16 & 42-50]. Further, Loyd herself testified at the default hearing that she was aware of the Elwaei Complaint and participated in an

investigatory hearing regarding same that preceded the instant litigation. [RR 12-14].

Moreover, at least one appellate court has determined, in a somewhat similar analysis, that a trial court could reasonably find that a party's controverted evidence presenting a "mistake or accident due to stress" did not meet the first *Craddock* element. *See Rodriguez v. Medders*, No. 10-11-00369-CV, 2012 WL 4862588, \*2-4 (Tex.App. – Waco Oct. 4, 2012, no pet.) (mem. op.). In short, **neither** of Loyd's explanations satisfy the first *Craddock* element.

2. *Loyd failed to establish any meritorious defense to her violations of TEX. DISCIPLINARY RULES PROF'L CONDUCT R. 1.06(b)(2), 1.06(d), 1.09(a)(3) or 8.04(a)(8), to warrant a new hearing.*

Initially, the Commission notes that Loyd's argument as to the second *Craddock* element suffers from the same briefing deficiencies as previously noted, specifically, a complete lack of record references in support of any of the factual assertions therein. [Apt. Br. 4-5]. Nevertheless, Loyd also fails to satisfy the second *Craddock* element, as her motion for a new trial did not set up a meritorious defense as to **any** of the alleged disciplinary violations. "The motion must allege facts which in law would constitute a defense to the cause of action asserted by the plaintiff and must be supported by affidavits or other evidence proving prima facie that the defendant has such meritorious defense." *Estate of Pollack*, 858 S.W.2d at 392. Setting up a meritorious defense does not require proof "in the accepted sense."

*DolgenCorp of Tex.*, 288 S.W.3d at 927–28. Rather, the motion sets up a meritorious defense if it alleges facts which in law would constitute a defense to the plaintiff's cause(s) of action and is supported by affidavits or other evidence providing prima facie proof that the defendant has such a defense. *Id.* If proven, a meritorious defense would cause a different—although not necessarily opposite—result on retrial. *Comanche Nation v. Fox*, 128 S.W.3d 745, 751 (Tex.App. – Austin 2004, no pet.).

And, while controverting evidence should generally not be considered when a defendant has set up a meritorious defense to the plaintiff's cause(s) of action, the standard **does** allow the party who recovered the default judgment to “establish the lack of legal sufficiency supporting the defaulting party's claimed defenses...” *Gotcher v. Barnett*, 757 S.W.2d 398, 403 (Tex.App. – Houston [14<sup>th</sup> Dist.] 1988, no writ); *see also*, *DolgenCorp of Tex.*, 288 S.W.3d at 927–28, “[t]he motion [for new trial] sets up a meritorious defense if it alleges facts *which in law* would constitute a defense to the plaintiff's cause of action...” (emphasis added) (citing *Ivy v. Carrell*, 407 S.W.2d 212, 214 (Tex. 1966)).

- a. Loyd failed to establish a meritorious defense to the Commission's conflict of interest-based allegations.

The Commission alleged that Loyd violated TDRPCs 1.06(b)(2), 1.06(d) and 1.09(a)(3) through her actions in representing Elwaei, and others, in connection with the sale of a home, and then later representing the buyers *against* Elwaei (the “Conflict of Interest Allegations”) in a lawsuit arising from that same sale. *See*

STATEMENT OF FACTS, *supra*. As the proposed “meritorious” defense to the Conflict of Interest Allegations in her motion for new trial, Loyd essentially offered her own conclusory statements regarding who represented the parties to the original sales transaction, along with various property records and court pleadings, ostensibly in support of those statements. [CR 225-31 & 233-94].

But Loyd’s proposed defense was legally insufficient as to the Conflict of Interest Allegations, in at least the following respects: (1) Loyd’s affidavit offers only the conclusory statement that Elwaei was represented by another attorney, Asem Eltiar, in connection with the sale; (2) the property records she attached in support of that assertion demonstrate, at most, that Mr. Eltiar was the trustee on a deed of trust related to the sale; (3) none of those property records indicate Mr. Eltiar represented **any** of the parties to the sale; and (4) the pleadings she attached in support demonstrate, at most, actions that *were* taken by counsel representing the buyers in subsequent litigation – they do not demonstrate that “[t]here was no effort made” by such counsel to disqualify Loyd due to a conflict of interest.<sup>10</sup> [Id].

Additionally, Loyd’s affidavit arguably **confirmed** that: (1) Loyd was “involved in preparing” the sale documents the Elwaei Complaint described; (2) Loyd recorded those documents with the Tarrant County Clerk; and (3) Loyd

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<sup>10</sup> What’s more, even **if** the opposing counsel in the subsequent litigation did not move to disqualify Loyd, that *in itself* would not demonstrate a meritorious defense to the charges that Loyd had breached the relevant ethical rules regarding conflicts of interest.

represented the buyers *against* Elwaei in the subsequent litigation. [Id.]. Thus, the purported evidence in support of Loyd's defense to the conflict allegations is ambiguous at best and arguably weighs *against* such defense. As a result, Loyd's assertions failed to set up a meritorious defense to such allegations.

- b. Loyd failed to offer **any** defense to the Commission's allegation she failed to timely furnish to the CDC a response or other information as required by the TRDPs.

The Evidentiary Petition also alleged that Loyd violated TDRPC 8.04(a)(8) by failing to timely respond to the Elwaei Complaint. [CR 26-29]. As is described herein, that particular failure by Loyd has occurred in several disciplinary matters over the years (though not *all* such matters). *See e.g.*, ARGUMENT, SEC. II(A)(1)(a), *supra*. Loyd did not attempt to set up **any** defense to this violation, meritorious or otherwise. [CR 225-31, *passim*]; [Apt. Br. 4-5]. Having failed to set up a meritorious defense to **any** disciplinary violation set forth in the Evidentiary Petition, Loyd cannot meet the second *Craddock* element as to any such violations, and the panel acted within its discretion in denying her motion for a new trial.

3. *The parties, and the Board, have been here before.*

Finally, in a previous default scenario, Loyd offered near-identical arguments seeking reversal of a default disciplinary judgment against her before that evidentiary panel and eventually the Board. *See* [App 2, pdf pp. 42-50]; *In re Loyd*,

BODA Case No. 67358 (Aug. 14, 2023).<sup>11</sup> In that case the Board affirmed the Default Judgment of Active Suspension issued by the panel against Loyd. [Id.]. And Loyd ultimately appealed that matter to the Texas Supreme Court, which affirmed BODA’s decision without written opinion.<sup>12</sup>

***B. Loyd’s 2<sup>nd</sup> Issue: By failing to brief any argument, Loyd has waived this issue.***

Loyd suggests in the “Issues Presented” section of her brief that her second issue on appeal regards whether there was “legally and factually sufficient evidence” to support the default judgment against her. [Apt. Br. 2]. However, the brief offers **no** argument or authority in support of such issue. [Apt. Br. 2-8]. And, as described above, Loyd offers **no** specific references to the record in support of any of her issues, including this second issue. As a result, Loyd has waived her second issue. *See e.g.*, ARGUMENT, SEC. I, *supra*.

Further, as is set forth at length above, attorney disciplinary proceedings before evidentiary panels have specific rules applicable to defaults, and a failure to timely answer leads to all facts alleged in the evidentiary petition being taken as true for the purposes of the disciplinary proceeding. *See I(A), above*; TEX. RULES

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<sup>11</sup> The docket for that prior BODA proceeding may be reviewed by utilizing the Case Search tool on the Board’s website at <https://txboda.org/search-cases-advanced>.

<sup>12</sup> The docket for Loyd’s appeal of that prior disciplinary matter to the Texas Supreme Court may be reviewed at <https://search.txcourts.gov/Case.aspx?cn=23-0684&coa=cossup>. The Texas Supreme Court may affirm decisions by BODA without written opinion. TEX. RULES DISCIPLINARY P. R. 7.11.

DISCIPLINARY P. R. 2.17(C). When presented with proof of Loyd’s failure to timely answer the Evidentiary Petition, the panel correctly found her in default. [CR 42-58]; [RR 4-17 & Exs. 1-4]. The facts alleged in the Evidentiary Petition, taken as true as a result of Loyd’s failure to timely answer the petition, supplied substantial evidence both legally and factually sufficient to support the panel’s default judgment.

***C. Loyd’s 3<sup>rd</sup> Issue: The panel acted within its discretion in imposing disbarment as its sanction.***

In her final issue, Loyd argues the panel’s sanction of disbarment is “an excessive sanction that is not appropriate under these circumstances.” [Apt. Br. 6-8]. Loyd’s argument in this respect consists only of her own declaration that the panel’s sanction was too harsh per the TRDP sanctioning guidelines, without reference to any authority supporting that assertion and without (once again) any specific references to the record. [Id]. And Loyd’s requested relief is that the Board reverse the panel’s sanction altogether, or alternatively, modify that sanction, though she offers no specific suggestion as to what she believes an appropriate sanction would be. That request should be rejected.

Evidentiary panels are afforded discretion in assessing sanctions. The Board reviews the sanction imposed for professional misconduct for abuse of discretion. *McIntyre v. Commission for Lawyer Discipline*, 169 S.W.3d 803, 807 (Tex. App.—Dallas 2005, no pet.). An evidentiary panel has broad discretion to

impose discipline, but a sanction may be so light or heavy as to constitute an abuse of discretion. *Molina v. Commission for Lawyer Discipline of The State Bar of Texas*, BODA No. 35426, 2006 WL 6242393, at \*4 (March 31, 2006) (citing *State Bar of Texas v. Kilpatrick*, 874 S.W.2d 656, 659 (Tex. 1994)). A panel abuses its discretion when it acts in an unreasonable and arbitrary manner, without reference to any guiding principles. *McIntyre*, 169 S.W.3d at 807. The fact that an appellate court might impose a sanction different from that imposed by the trial court does not show an abuse of discretion. *Love v. State Bar of Texas*, 982 S.W.2d 939, 944 (Tex. App.—Houston [14<sup>th</sup> Dist.] 2002, no pet.).

Part 15 of the TRDPs provides guidelines to consider in determining appropriate sanctions for professional misconduct, though those guidelines, “[d]o not limit the authority of a district grievance committee...to make a finding or issue a decision.” TEX. RULES DISCIPLINARY P. R. 15.01(B). General factors that should be considered include the duty violated, the respondent attorney’s level of culpability, the potential or actual injury caused by the misconduct, and the existence of aggravating or mitigating factors. TEX. RULES DISCIPLINARY P. R. 15.02.

More specifically, Rules 15.04(D)(1-4) and 15.07(1-4) set forth guidelines for determining appropriate sanctions in circumstances involving an attorney’s failure(s) to avoid conflicts of interest, and circumstances involving an attorney’s failure to respond to a disciplinary agency, respectively, that span the gamut from

private reprimand to disbarment. TEX. RULES DISCIPLINARY P. R. 15.04(D)(1-4) and 15.07(1-4). Additionally, Rule 15.09 provides aggravating and mitigating factors the panel may consider in deciding an appropriate sanction once professional misconduct is established, including a respondent's prior disciplinary record. TEX. RULES DISCIPLINARY P. R. 15.09(A-C).

Here, Loyd first asserts that the findings of professional misconduct against her in the Default Judgment were “limited to her failure to timely submit her Answer...” [Apt. Br. 7]. But the judgment clearly and concisely sets forth the factual allegations made in the Commission's Evidentiary Petition, which were deemed true due to Loyd's default. [App 1]. Those deemed facts include facts regarding Loyd's conflicted representation of Elwaei during the sale of a home in October 2019 through her representation of the buyers *against* Elwaei in litigation arising from that same transaction beginning in June 2022, as well as Loyd's failure to respond to Elwaei's disciplinary complaint against her. [Id.]; [CR 26-29]. Further, as noted above, the panel heard evidence of Loyd's extensive disciplinary history (a potential aggravating factor), including repeated violations of duties owed to her clients, repeated failures to respond to disciplinary complaints, and defaults in disciplinary proceedings. *See* ARGUMENT, SEC. II(A)(1)(a), *supra*.

Loyd next suggests that “several mitigating circumstances must be considered in determining the appropriate sanction,” but she does not provide any references or

argument regarding any such “circumstances” that she presented to the panel *or* that she believes the panel did not consider. [Apt. Br. 7]. Further, Loyd offers **no** authority in support of her proposition that “timely compli[ance] with all requirements” set forth in a Judgment of Disbarment should somehow serve as grounds for reversal or modification of such disbarment. [Id.].

The panel’s sanction of disbarment is supported by substantial evidence demonstrating Loyd’s failures to avoid conflicts of interest in connection with her representation of Elwaei, as well as her failure to respond to the Elwaei Complaint – especially in light of the aggravating factors of a pattern of misconduct and disregard for the import of the attorney disciplinary process she has exhibited over several years and several disciplinary judgments. The panel acted within its discretion in issuing the disbarment and the Board should affirm that sanction without modification.

### **CONCLUSION AND PRAYER**

For these reasons, the Commission prays that the Board affirm the judgment of the District 7-1 Evidentiary Panel of the State Bar of Texas in this matter, in all respects.

RESPECTFULLY SUBMITTED,

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**CERTIFICATE OF COMPLIANCE**

Pursuant to the Board of Disciplinary Appeals Internal Procedural Rules, the foregoing brief on the merits contains approximately 6,302 words (total for all sections of brief that are required to be counted), which is less than the total words permitted by the Board's Internal Procedural Rules. Counsel relies on the word count of the computer program used to prepare this petition.



\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

This is to certify that the above and foregoing brief of Appellee, the Commission for Lawyer Discipline has been served on Appellant, Annette R. Loyd, via electronic mail to [arlvanicek@gmail.com](mailto:arlvanicek@gmail.com) on the 12<sup>th</sup> day of February, 2026.



\_\_\_\_\_  
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No. 72117

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

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**ANNETTE R. LOYD**

**APPELLANT**

**V.**

**COMMISSION FOR LAWYER DISCIPLINE,  
APPELLEE**

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*On Appeal from an Evidentiary Panel  
For the State Bar of Texas District 7  
No. 202300582 [Elwaei]*

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**APPENDIX TO BRIEF OF APPELLEE  
COMMISSION FOR LAWYER DISCIPLINE**

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- APP 1:** Default Judgment of Disbarment, 8/15/25 [CR 128-33]
- APP 2:** Loyd's Prior Disciplinary Judgments [RR Ex. 5]
- APP 3:** Order on Motion for Default Judgment, 8/15/25 [CR 135-36]

# App 1

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 7-1  
STATE BAR OF TEXAS**

<b>COMMISSION FOR LAWYER</b>	§	
<b>DISCIPLINE,</b>	§	
<b>Petitioner</b>	§	
	§	
v.	§	<b>CASE NO. 202300582</b>
	§	
<b>ANNETTE R. LOYD,</b>	§	
<b>Respondent</b>	§	

**DEFAULT JUDGMENT OF DISBARMENT**

**Parties and Appearance**

On August 6, 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, **ANNETTE R. LOYD** (“Respondent”), Texas Bar Number **16731100**, appeared.

**Jurisdiction and Venue**

The Evidentiary Panel 7-1, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 7, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

**Default**

The Evidentiary Panel finds Respondent was properly served with the Evidentiary Petition and that Respondent failed to timely file a responsive pleading to the Evidentiary Petition as required by Rule 2.17(B) of the Texas Rules of Disciplinary Procedure. Accordingly, the Evidentiary Panel finds Respondent in default and further finds that all facts alleged in the Evidentiary Petition are deemed true pursuant to Rule 2.17(C) of the Texas Rules of Disciplinary Procedure.

### **Professional Misconduct**

The Evidentiary Panel, having deemed all facts as alleged in the Evidentiary Petition true, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

### **Findings of Fact**

The Evidentiary Panel, having considered the allegations as deemed true, 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. At the time of the filing of the Evidentiary Petition, Respondent was actively suspended from the practice of law, but maintained a post office box in Tarrant County, Texas, where she previously maintained her principal place of practice, and where her principal place of practice was at the time of the misconduct.
3. Respondent was hired by Walid Elwaei (“Elwaei”) in October 2019, for representation in a civil legal matter involving the sale of a home.
4. Elwaei paid Respondent \$350 for the legal representation.
5. Respondent represented Elwaei regarding his interests in the home and/or his obligations to the home seller.
6. Respondent provided Elwaei with legal advice regarding the sale of the home.
7. Respondent also represented the buyer regarding the sales transaction.
8. The dual representation created a conflict of interest, and Respondent failed to explain to one or both clients the potential adverse consequences of the shared representation.
9. The buyer and seller later disputed the sales transaction.
10. Respondent served as counsel for the buyer and filed suit against Elwaei.
11. Respondent’s representation of the buyer against Elwaei created a conflict of interest regarding subsequent litigation against a former client in the same underlying matter.
12. On February 16, 2023, notice and a copy of the complaint were sent to Respondent.
13. Reminder letters were sent to Respondent on March 24, 2023, and April 19, 2023, advising Respondent that the State Bar of Texas had yet to receive her written response to the complaint.
14. After being served with the complaint, Respondent failed to furnish to the Chief Disciplinary Counsel’s office a response or other information as required by the Texas Rules of Disciplinary Procedure, and Respondent did not in good faith timely assert a privilege or other legal ground for failure to do so.
15. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorney’s fees and direct expenses associated with this Disciplinary Proceeding in the amount of \$2,325.00.

### **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: 1.06(b)(2), 1.06(d), 1.09(a)(3) and 8.04(a)(8).

### **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 sanction evidence and argument, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is Disbarment.

### **Disbarment**

It is therefore ORDERED, ADJUDGED and DECREED that effective August 6, 2025, Respondent, ANNETTE R. LOYD, State Bar Number, 16731100, 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 herself 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 herself out to others or using her 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 her 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 she 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 suspension, 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 suspension she 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 her 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.

#### **Attorney's Fees and Expenses**

It is further ORDERED Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of \$2,325.00. The payment shall be due and payable within one year of the date of the signed judgment and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further ORDERED that all amounts ordered herein are due to the misconduct of Respondent and are assessed as a part of the sanction in accordance with Rule 1.06(FF) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

**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.

**Conditions Precedent to Reinstatement**

It is further ORDERED that payment of the foregoing attorney's fees and expenses shall be a condition precedent to any consideration of reinstatement from disbarment as provided by Rules 2.19, 2.20, and 11.02(D) of the Texas Rules of Disciplinary Procedure.

**Other Relief**

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 15th day of August, 2025.

**EVIDENTIARY PANEL 7-1  
DISTRICT NO. 7  
STATE BAR OF TEXAS**



Antonio Allen  
**District 7, Panel 7-1 Presiding Member**

# App 2

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 7-1  
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner**

v.

**ANNETTE R. LOYD,  
Respondent**

§  
§  
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§

**CASE NO. 202300582**

**BUSINESS RECORDS AFFIDAVIT**

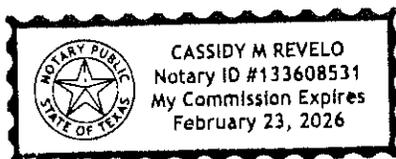
Before me, the undersigned authority, personally appeared Kristin V. Brady, who, being by me duly sworn, deposed as follows:

1. My name is Kristin V. Brady. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.
2. I am employed as Regional Counsel for Litigation of the State Bar of Texas, Dallas/Fort Worth Regional Office.
3. I am the custodian of disciplinary records of the Dallas/Fort Worth Regional Office of the State Bar of Texas and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities.
4. Attached are 49 pages of records. These are the original records or exact duplicates of the original records.
5. It is the regular practice of the State Bar of Texas to make this type of record at or near the time of each act, event, condition, opinion, or diagnosis set forth in the record.
6. It is the regular practice of the State Bar of Texas for this type of record to be made by or from information transmitted by persons with knowledge of the matters set forth in them.
7. It is the regular practice of the State Bar of Texas to keep this type of record in the course of regularly conducted business activity.
8. It is the regular practice of the business activity to make the records.

*Kristin V. Brady*

\_\_\_\_\_  
Kristin V. Brady  
Regional Counsel for Litigation, Custodian of  
Records

SWORN TO AND SUBSCRIBED before me on the 23<sup>rd</sup> day of July, 2025.



*Cassidy M Revelo*  
\_\_\_\_\_  
Notary Public in and for the State of Texas

**EXHIBIT  
CFLD 5**

BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 7-2  
STATE BAR OF TEXAS

COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner

V.

ANNETTE R. LOYD,  
Respondent

201505595

CASE NO. 201505595

**JUDGMENT OF FULLY PROBATED SUSPENSION**

**Parties and Appearance**

On December 12, 2018, December 21, 2018, and February 4, 2019, came to be heard the above-styled and numbered cause. Petitioner, Commission for Lawyer Discipline, appeared by and through its attorney of record and announced ready. Respondent, **ANNETTE R. LOYD** (Respondent), Texas Bar Number **16731100**, appeared in person and announced ready.

**Jurisdiction and Venue**

The Evidentiary Panel 7-2, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 7, 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 her principal place of practice in Tarrant County, Texas.
3. Complainant Vernon Bauer (Bauer) and Joella Jacobson (Jacobson) hired Respondent to serve as legal counsel regarding a civil matter. Respondent filed suit on behalf of Bauer and Jacobson on August 1, 2014 in a District Court in Tarrant County, Texas.
4. In representing Bauer and Jacobson, Respondent neglected the legal matter entrusted to her by failing to respond to Defendant's Motion for Summary Judgment.
5. Respondent failed to promptly comply with reasonable requests for information from Bauer and Jacobson about their civil matter.
6. Respondent failed to explain the legal matter to the extent reasonably necessary to permit Bauer and Jacobson to make informed decisions regarding the representation.
7. Respondent violated a disciplinary judgment.
8. Respondent failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure. Respondent did not in good faith timely assert a privilege or other legal ground for failure to do so.
9. Respondent owes restitution in the amount of One Thousand Dollars and No Cents (\$1,000.00) payable to Vernon Bauer.
10. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorney's fees associated with this Disciplinary Proceeding in the amount of Three Thousand Three Hundred Dollars and No Cents (\$3,300.00).
11. The Chief Disciplinary Counsel of the State Bar of Texas has incurred direct expenses associated with this Disciplinary Proceeding in the amount of Seven Hundred Dollars and No Cents (\$700.00).

### 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: Rules: 1.01(b)(1), 1.03(a), 1.03(b), 8.04(a)(7), and 8.04(a)(8).

### Sanction

The Evidentiary Panel, having found that 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 the proper discipline of the Respondent for each act of Professional Misconduct is a Probated Suspension.

Accordingly, it is **ORDERED, ADJUDGED** and **DECREED** that Respondent be suspended from the practice of law for a period of two (2) years with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on February 4, 2019, and shall end on February 3, 2021.

### Terms of Probation

It is further **ORDERED** that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.

5. Respondent shall comply with Minimum Continuing Legal Education requirements.
6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
8. Respondent shall pay restitution on or before January 1, 2020, to Vernon Bauer in the amount of One Thousand Dollars and No Cents (\$1,000.00). Respondent shall pay the restitution by certified or cashier's check or money order made payable to Vernon Bauer and delivered 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).
9. Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Three Thousand Three Hundred Dollars and No Cents (\$3,300.00). The payment shall be due and payable on or before January 1, 2020, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
10. Respondent shall pay direct expenses to the State Bar of Texas in the amount of Seven Hundred Dollars and No Cents (\$700.00). The payment shall be due and payable on or before January 1, 2020, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
11. Respondent shall submit to counseling sessions for the two (2) year duration of this judgment, with a minimum of one (1) session per month, 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). The mental health professional shall provide written monthly reports to the State Bar of Texas verifying Respondent's attendance at the sessions and the general issue(s) addressed during the sessions. The initial report shall be due no later than March 3, 2019, documenting the session(s) that occur(s) during February 2019. Each subsequent report shall be due on the 3<sup>rd</sup> day of each month, documenting the session(s) that occur(s) during the previous month. The final report will be due no later than February 3, 2021.

12. Respondent shall take all necessary action, including the execution of a valid release of information, to permit any treating mental health professional to provide written or oral reports for the duration of the supervision period.
13. Respondent shall be responsible for all costs and expenses incurred, directly or indirectly, by compliance with these terms and shall pay all such costs and expenses as required by the provider, but in no event later than the final day of the supervision period.
14. Any and all reports and evaluations required by these terms of probation shall be sent to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Suite 200, Austin, TX 78701).
15. In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete six (6) additional hours of continuing legal education in the area of Law Office Management. These additional hours of CLE are to be completed on or before January 1, 2020. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course(s) 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).
16. Respondent must maintain financial records on each client, including written receipts of funds, written accounting of time billed, client funds applied, and written contracts with each client.
17. Law Office Management Consultation: No later than March 5, 2019, Respondent shall engage the services of a law office management consultant, approved by the Office of the Chief Disciplinary Counsel, and qualified by training and experience to conduct reviews of law office management systems for solo practitioners. Respondent shall participate in good faith one (1) hour per month for the two (2) year duration of this judgment. The consultant will produce a written report on the adequacy of the systems currently in place to manage Respondent's law practice, to adequately supervise the office staff and to insure effective communication with clients no later than ten (10) days after each consultation. Said reports shall be delivered 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).
18. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 877-953-5535, ext. 1334 and Special

Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

### **Probation Revocation**

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.23 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals (BODA) and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further **ORDERED** that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

### **Restitution, Attorney's Fees and Expenses**

It is further **ORDERED** Respondent shall pay restitution on or before January 1, 2020, to Vernon Bauer in amount of One Thousand Dollars and No Cents (\$1,000.00). Respondent shall pay the restitution by certified or cashier's check or money order made payable to Vernon Bauer and delivered 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).

It is further **ORDERED** Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Three Thousand Three Hundred Dollars and No Cents (\$3,300.00). The payment shall be due and payable on or before January 1, 2020, shall be made by certified or cashier's check or money order, and made payable to the State Bar of Texas. Respondent shall forward the funds 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).

It is further **ORDERED** Respondent shall pay all direct expenses to the State Bar of Texas in the amount of Seven Hundred Dollars and No Cents (\$700.00). The payment shall be due and payable on or before January 1, 2020, shall be made by certified or cashier's check or money order, and made payable to the State Bar of Texas. Respondent shall forward the funds 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).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(Z) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

**Publication**

This suspension 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 14<sup>th</sup> day of February, 2019.

**EVIDENTIARY PANEL 7-2  
DISTRICT NO. 7  
STATE BAR OF TEXAS**



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**CHRIS NICKELSON  
District 7, Panel 7-2 Presiding Member**



facts alleged in the Evidentiary Petition are deemed true pursuant to Rule 2.17(C) of the Texas Rules of Disciplinary Procedure.

### **Professional Misconduct**

The Evidentiary Panel, having deemed all facts as alleged in the Evidentiary Petition true, 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 allegations as deemed true, 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 her principal place of practice in Tarrant County, Texas.
3. On February 14, 2017, Complainant, Tommy H. Watley (Watley), hired Respondent to represent him regarding a matter involving his Last Will and Testament.
4. In representing Watley, Respondent neglected the legal matter entrusted to her.
5. Respondent failed to keep Watley reasonably informed about the status of his legal matter and failed to promptly comply with reasonable requests for information from Watley.
6. Respondent failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure. Respondent did not in good faith timely assert a privilege or other legal ground for failure to do so.
7. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorney's fees associated with this Disciplinary Proceeding in the amount of Seven Hundred Fifty Dollars and No Cents (\$750.00).

8. The Chief Disciplinary Counsel of the State Bar of Texas has incurred direct expenses associated with this Disciplinary Proceeding in the amount of Two Hundred Fifty Dollars and No Cents (\$250.00).

### **Conclusions of Law**

The Evidentiary Panel concludes that, based upon the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8).

### **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 the proper discipline of the Respondent for each act of Professional Misconduct is a Probated Suspension.

Accordingly, it is **ORDERED, ADJUDGED** and **DECREED** that Respondent be suspended from the practice of law for a period of twelve (12) months, with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on January 7, 2019, and shall end on January 6, 2020.

### **Terms of Probation**

It is further **ORDERED** that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.

4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.
5. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
6. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
7. Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Seven Hundred Fifty Dollars and No Cents (\$750.00). The payment shall be due and payable on or before February 6, 2019, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
8. Respondent shall pay all direct expenses to the State Bar of Texas in the amount of Two Hundred Fifty Dollars and No Cents (\$250.00). The payment shall be due and payable on or before February 6, 2019, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
9. In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete two (2) additional hours of continuing legal education in the area of Law Practice Management and an additional three (3) hours of continuing legal education in the area of Ethics. These additional hours of CLE are to be completed by January 6, 2020. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course(s) 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).
10. Respondent shall make contact with the Chief Disciplinary Counsel's Office's Compliance Monitor at 877-953-5535, ext. 1334 and Special Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

11. Respondent shall submit to counseling sessions for the twelve (12) month duration of this judgment, with a minimum of one (1) session per month, 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). The mental health professional shall provide written monthly reports to the State Bar of Texas verifying Respondent's attendance at the sessions and the general issue(s) addressed during the sessions. The initial report shall be due no later than February 6, 2019, documenting the session(s) that occur(s) during January 2019. Each subsequent report shall be due on the 6<sup>th</sup> day of each month, documenting the session(s) that occur(s) during the previous month. The final report will be due no later than January 6, 2020.
12. Respondent shall take all necessary action, including the execution of a valid release of information, to permit any treating mental health professional to provide written or oral reports for the duration of the supervision period.
13. Respondent shall be responsible for all costs and expenses incurred, directly or indirectly, by compliance with these terms and shall pay all such costs and expenses as required by the provider, but in no event later than the final day of the supervision period.
14. Any and all reports and evaluations required by these terms of probation shall be sent to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Suite 200, Austin, TX 78701).

### **Probation Revocation**

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.23 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals (BODA) and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking

probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further **ORDERED** that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

**Attorney's Fees and Expenses**

It is further **ORDERED** Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Seven Hundred Fifty Dollars and No Cents (\$750.00). The payment shall be due and payable on or before February 6, 2019, shall be made by certified or cashier's check or money order, and made payable to the State Bar of Texas. Respondent shall forward the funds 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).

It is further **ORDERED** Respondent shall pay all direct expenses to the State Bar of Texas in the amount of Two Hundred Fifty Dollars and No Cents (\$250.00). The payment shall be due and payable on or before February 6, 2019, shall be made by certified or cashier's check or money order, and made payable to the State Bar of Texas. Respondent shall forward the funds 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).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(Z) of the

Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

**Publication**

This suspension 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 16<sup>th</sup> day of ~~December~~ <sup>January</sup> 2019, 2018.

**EVIDENTIARY PANEL 7-2  
DISTRICT NO. 7  
STATE BAR OF TEXAS**



**CHRIS NICKELSON**  
District 7, Panel 7-2 Presiding Member

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

**IN THE MATTER OF**

**ANNETTE R. LOYD**

**STATE BAR CARD NO. 16731100**

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**CAUSE NO. 48710**

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

On July 1, 2011, 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, Annette R. Loyd, State Bar No. 16731100. Petitioner appeared by counsel from the Office of the Chief Disciplinary Counsel and announced ready. Respondent, Annette R. Loyd, appeared pro se and announced ready. All issues of fact and questions of law were submitted to the Board.

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

- (1) Respondent, Annette R. Loyd, whose State Bar Card number is 16731100, is currently licensed and 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 June 15, 2011, in accordance with the Texas Rules of Disciplinary Procedure 2.23 ("TRDP"). The affidavit of service was filed with the Board on June 21, 2011.
- (3) On March 23, 2011, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Annette R. Loyd, Respondent*, Case No. D0031039673, an Evidentiary Panel of the State Bar of Texas District 7-2 Grievance Committee signed a judgment imposing a thirty-seven month partially probated suspension against Respondent beginning April 1, 2011, and ending April 30,

2014, with one month active suspension starting April 1, 2011, and ending April 30, 2011, and thirty-six months probated suspension beginning May 1, 2011, and ending April 30, 2014.

- (4) The Evidentiary Panel found that Respondent had committed violations of Texas Disciplinary Rules of Professional Conduct 1.01(b)(2), 1.03(a) and 8.04(a)(8).
- (5) Respondent received a copy of the judgment by certified mail on March 28, 2011.
- (6) The judgment clearly prohibited Respondent from practicing law for the period beginning April 1, 2011 and ending April 30, 2011.
- (7) Respondent read and understood the judgment.
- (8) Respondent did not contact the Office of Chief Disciplinary Counsel after receiving the judgment, file any post-judgment motions, appeal the judgment, or otherwise attempt to delay the effect of the sanction imposed.
- (9) Respondent was ordered by the judgment signed March 23, 2011 to notify in writing, on or before April 1, 2011, 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 had any matter pending of the terms of the 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.
- (10) The judgment further ordered Respondent to file with the Statewide Compliance Monitor, State Bar of Texas Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado Street, Austin, Texas 78701) on or before April 1, 2011, an affidavit stating that she had notified in writing every court or tribunal in which Respondent had any matter pending of the terms of the 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.
- (11) In addition to the requirements noted above, the judgment ordered Respondent, as specific requirements of her probation, not to violate any term of the judgment, not to engage in professional misconduct as defined by Rule 1.06(V) of the Texas Rules of Disciplinary Procedure, not to violate any state or federal criminal statutes, to keep the State Bar of Texas membership department notified of current mailing, residence, and business addresses, and telephone numbers, to comply with Minimum Continuing Legal Education requirements, to comply with Interest on Lawyers Trust Account (IOLTA)

requirements, and to promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.

- (12) Respondent knowingly practiced law during the period that her license was actively suspended beginning April 1, 2011 and April 30, 2011 by filing pleadings and/or appearing in court in multiple cases.
- (13) Respondent materially violated the Default Judgment of Partially Probated Suspension by practicing law while her license was suspended, failing to notify Judges and Courts of her suspension, and by failing to file an affidavit with the State Bar of Texas stating that she had notified Judges and Courts of her suspension.
- (14) Respondent, Annette R. Loyd, is the same person as the Annette R. Loyd who is the subject of the Evidentiary Judgment described above.

Based on these undisputed facts, the Board concludes that:

- (1) 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 and probationary period. TRDP 2.23; *In re State Bar of Texas*, 113 S.W.3d 730,733 (Tex.2003).
- (2) Respondent has materially violated the terms and conditions of the Default Judgment of Partially Probated Suspension signed on March 23, 2011, in Cause No. D0031039672.
- (2) Respondent should be actively suspended from practicing law for the full term of the suspension as originally imposed by the Default Judgment of Partially Probated Suspension without credit for any probationary time served. TRDP 2.23.

It is therefore, ORDERED, ADJUDGED, and DECREED that Respondent, Annette R. Loyd, State Bar No. 16731100, be, and hereby is, actively SUSPENDED from the practice of law in the State of Texas for a period of thirty-six months effective immediately on the date this judgment is signed and ending on July 6, 2014.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Annette R. Loyd, during said suspension is prohibited 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 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, Annette R. Loyd, 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, Annette R. Loyd, has any legal matter pending, if any, of her 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, Annette R. Loyd, shall immediately notify each of her current clients, if any, in writing, of her 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 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 the Statewide Compliance Monitor, within the same thirty (30) days, an affidavit stating that all current clients have been notified of her 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 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 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, Annette R. Loyd, immediately surrender her 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.

Signed this 6<sup>th</sup> day of July 2011.

  
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**CHAIR PRESIDING**

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 7-2  
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner**

**V.**

**ANNETTE R. LOYD,  
Respondent**

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**CASE NO. D0031039672**

**DEFAULT JUDGMENT OF PARTIALLY PROBATED SUSPENSION**

**Parties and Appearance**

On March 9, 2011, came to be heard the above-styled and numbered cause. Petitioner, Commission for Lawyer Discipline ("Petitioner"), appeared by and through its attorney of record, William R. Garrett, Assistant Disciplinary Counsel, and announced ready. Respondent, **ANNETTE R. LOYD**, Texas Bar Number **16731100** ("Respondent"), although duly served with the Evidentiary Petition and notice of this default and sanctions hearing, failed to appear.

**Jurisdiction and Venue**

The Evidentiary Panel 7-2, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 7, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

**Default**

The Evidentiary Panel finds Respondent was properly served with the Evidentiary Petition and that Respondent failed to timely file a responsive pleading to the Evidentiary Petition as required by Rule 2.17(B) of the Texas Rules of Disciplinary Procedure.

Accordingly, the Evidentiary Panel finds Respondent in default and further finds that all facts alleged in the Evidentiary Petition are deemed true pursuant to Rule 2.17(C) of the Texas Rules of Disciplinary Procedure.

### **Professional Misconduct**

The Evidentiary Panel, having deemed all facts as alleged in the Evidentiary Petition true, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(V) of the Texas Rules of Disciplinary Procedure.

### **Findings of Fact**

The Evidentiary Panel, having considered the allegations as deemed true, 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 her principal place of practice in Tarrant County, Texas.
3. In representing Tommie Whitaker ("Whitaker"), Respondent frequently failed to carry out completely the obligations owed to Whitaker.
4. Respondent failed to keep Whitaker reasonably informed about the status of her civil matter.
5. Respondent failed to promptly comply with reasonable requests for information from Whitaker about her civil matter.
6. Respondent failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure.
7. Respondent did not in good faith timely assert a privilege or other legal ground for failure to do so.
8. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees associated with this Disciplinary Proceeding in the

amount of One Thousand Two Hundred Twenty-Five and no/100 Dollars (\$1,225.00).

9. The Chief Disciplinary Counsel of the State Bar of Texas has incurred direct expenses associated with this Disciplinary Proceeding in the amount of Three Hundred Thirty-One and 97/100 Dollars (\$331.97).

### **Conclusions of Law**

The Evidentiary Panel concludes that, based upon the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: Rules 1.01(b)(2), 1.03(a) and 8.04(a)(8).

### **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 said findings and conclusions support a judgment of Partially Probated Suspension.

Accordingly, it is **ORDERED, ADJUDGED** and **DECREED** that Respondent be suspended from the practice of law for a period of thirty-seven (37) months, beginning April 1, 2011, and ending April 30, 2014, provided Respondent complies with the following terms and conditions. Respondent shall be actively suspended from the practice of law for a period of one (1) month, beginning April 1, 2011, and ending April 30, 2011. If Respondent complies with all of the following terms and conditions timely, the thirty-six (36) month period of probated suspension shall begin on May 1, 2011, and shall end on April 30, 2014:

1. Respondent shall pay all reasonable and necessary attorneys' fees to the State Bar of Texas in the amount of One Thousand Two Hundred Twenty-Five and no/100 Dollars (\$1,225.00). The payment shall be due and payable on or before

April 30, 2011, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

2. Respondent shall pay all direct expenses to the State Bar of Texas in the amount of Three Hundred Thirty-One and 97/100 Dollars (\$331.97). The payment shall be due and payable on or before April 30, 2011, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

Should Respondent fail to comply with all of the above terms and conditions timely, Respondent shall remain actively suspended until the date of compliance or until April 30, 2014, whichever occurs first.

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#### Terms of Active Suspension

It is further **ORDERED** that during the term of active suspension ordered herein, or that may be imposed upon Respondent by the Board of Disciplinary Appeals as a result of a probation revocation proceeding, Respondent shall be prohibited from practicing law in Texas; holding herself 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 or Federal court or before any administrative body; or holding herself out to others or using her name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further **ORDERED** that, or before April 1, 2011, Respondent shall notify each of Respondent's current clients in writing of this suspension.

In addition to such notification, it is further **ORDERED** Respondent shall return any files, papers, unearned monies and other property belonging to current clients in

Respondent's possession to the respective clients or to another attorney at the client's request.

It is further **ORDERED** Respondent shall 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 April 1, 2011, an affidavit stating all current clients have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein.

It is further **ORDERED** Respondent shall, on or before April 1, 2011, 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.

It is further **ORDERED** Respondent shall 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 April 1, 2011, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court 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 in Court.

It is further **ORDERED** that, on or before April 1, 2011, Respondent shall surrender her 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.

### **Terms of Probation**

It is further **ORDERED** that during all periods of suspension, active or probated, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
  2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(V) of the Texas Rules of Disciplinary Procedure.
  3. Respondent shall not violate any state or federal criminal statutes.
  4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.
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5. Respondent shall comply with Minimum Continuing Legal Education requirements.
  6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
  7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
  8. In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete nine (9) additional hours of continuing legal education in the area of Ethics, to be completed as follows: three (3) additional hours of CLE are to be completed no later than May 1, 2012; three (3) additional hours of CLE are to be completed no later than May 1, 2013, and three (3) additional hours of CLE are to be completed no later than May 1, 2014. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course 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).

### **Probation Revocation**

Upon determination that Respondent has violated any term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to

revoke probation pursuant to Rule 2.23 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further **ORDERED** that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

#### **Attorneys' Fees and Expenses**

It is further **ORDERED** Respondent shall pay all reasonable and necessary attorneys' fees to the State Bar of Texas in the amount of One Thousand Two Hundred Twenty-Five and no/100 Dollars (\$1,225.00). The payment shall be due and payable on or before April 30, 2011, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** Respondent shall pay all direct expenses to the State Bar of Texas in the amount of Three Hundred Thirty-One and 97/100 Dollars (\$331.97). The

payment shall be due and payable on or before April 30, 2011, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(Y) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

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**Publication**

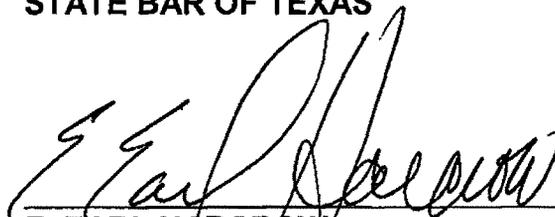
This suspension shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

**Other Relief**

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 23<sup>rd</sup> day of March, 2011.

**EVIDENTIARY PANEL 7-2  
DISTRICT NO. 7  
STATE BAR OF TEXAS**

  
**E. EARL HARCROW  
District 7-2 Presiding Member**

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 7-2  
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner**

**V.**

**ANNETTE R. LOYD,  
Respondent**

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**CASE NO. D0051143118**

**AGREED JUDGMENT OF ACTIVE SUSPENSION**

**Parties and Appearance**

On this day, came to be heard the above-styled and numbered cause. Petitioner, Commission for Lawyer Discipline ("Petitioner"), and Respondent, **ANNETTE R. LOYD** ("Respondent"), Texas Bar Number **16731100**, announce that an agreement has been reached on all matters including the imposition of an Active Suspension.

**Jurisdiction and Venue**

The Evidentiary Panel 7-2, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 7, 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 the pleadings, admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(V) of the Texas Rules of Disciplinary Procedure.

### **Findings of Fact**

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Evidentiary Panel finds:

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 her principal place of practice in Tarrant County, Texas.
3. Respondent violated the Texas Rules of Professional Conduct.
4. Respondent engaged in the practice of law when her right to practice had been suspended.
5. Respondent violated a disciplinary judgment by practicing law while actively suspended.
6. Respondent failed to timely furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure. Respondent did not in good faith timely assert a privilege or other legal ground for failure to do so.
7. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of Eight Hundred Ninety-Five and no/100 Dollars (\$895.00).

### **Conclusions of Law**

Petitioner and Respondent agree that, based on the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated. Accordingly, the Evidentiary Panel concludes that the following Texas Disciplinary Rules of Professional Conduct have been violated: Rules 8.04(a)(1), 8.04(a)(7), 8.04(a)(8) and 8.04(a)(11).

### Sanction

It is **AGREED** and **ORDERED** that the sanction of an Active Suspension shall be imposed against Respondent in accordance with the Texas Rules of Disciplinary Procedure.

Accordingly, it is **ORDERED, ADJUDGED** and **DECREED** that Respondent shall be actively suspended from the practice of law for a period of one (1) year, beginning October 1, 2012, and ending September 30, 2013.

### Terms of Active Suspension

It is further **ORDERED** that during the term of active suspension ordered herein, Respondent shall be prohibited from practicing law in Texas; holding herself 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 or Federal court or before any administrative body; or holding herself out to others or using her name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further **ORDERED** that, on or before October 1, 2012, Respondent shall notify each of Respondent's current clients and opposing counsel in writing of this suspension.

In addition to such notification, it is further **ORDERED** Respondent shall return any files, papers, unearned monies and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado

Street, Austin, TX 78701) on or before October 1, 2012, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein.

It is further **ORDERED** Respondent shall, on or before October 1, 2012, 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.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado Street, Austin, TX 78701) on or before October 1, 2012, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court 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 in Court.

It is further **ORDERED** that, on or before October 1, 2012, Respondent shall surrender her 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 Street, Austin, TX 78701), to be forwarded to the Supreme Court of Texas.

### **Attorneys' Fees and Expenses**

It is further **ORDERED** Respondent shall pay all reasonable and necessary attorneys' fees and direct expenses to the State Bar of Texas in the amount of Eight Hundred Ninety-Five and no/100 Dollars (\$895.00). The payment of attorneys' fees and direct expenses shall be made by certified or cashier's check or money order and made payable to the State Bar of Texas. The payment shall be submitted to the State Bar of Texas, Chief Disciplinary Counsel's Office, 14651 Dallas Parkway, Suite 925, Dallas, Texas 75254, on or before the date this judgment is presented to the Evidentiary Panel for execution.

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(Y) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

### **Publication**

This suspension 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.

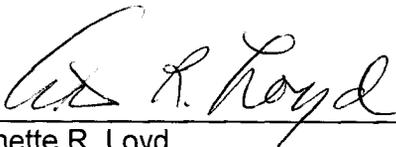
SIGNED this 13 day of Sept., 2012.

**EVIDENTIARY PANEL 7-2  
DISTRICT NO. 7  
STATE BAR OF TEXAS**



**Lori Spearman  
District 7-2 Presiding Member**

**AGREED AS TO BOTH FORM AND SUBSTANCE:**



**Annette R. Loyd  
State Bar No. 16731100  
Respondent**



**William R. Garrett  
State Bar No. 07700200  
Counsel for Petitioner**



**Avery McDaniel  
State Bar No. 24000121  
Counsel for Respondent**

NO. F0010313527

COMMISSION FOR LAWYER  
DISCIPLINE

v.

ANNETTE R. LOYD

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EVIDENTIARY PANEL

OF DISTRICT 07A

GRIEVANCE COMMITTEE

**DEFAULT JUDGMENT OF FULLY PROBATED SUSPENSION**

On August 3, 2004, came on to be heard the Motion for Default Judgment in the above-styled complaint. The Commission for Lawyer Discipline appeared by and through their attorney, William R. Garrett, Assistant Disciplinary Counsel. The Respondent **ANNETTE R. LOYD**, State Bar Number 16731100 (hereinafter referred to as "Respondent"), although duly and properly notified, failed to appear. Complainant **KAREN REMMERS** did not appear.

An investigatory panel of the Grievance Committee for State Bar District 07A heard the complaint of Karen Remmers and found just cause to believe that the Respondent has committed professional misconduct.

Respondent was served via certified mail, return receipt requested, with an Evidentiary Panel Charge and Chief Disciplinary Counsel's Proposed Hearing Order pursuant to Rule 2.16(A) of the Texas Rules of Disciplinary Procedure. Respondent failed to timely file a Responsive Pleading and Proposed Hearing Order pursuant to Rule 2.16(B) of the Texas Rules of Disciplinary Procedure. Respondent was served via certified mail, return receipt requested, with a Notice of Default and Respondent failed to timely file a verified motion reflecting good cause for failing to timely file a responsive pleading and proposed hearing order. Respondent was served via certified mail, return receipt requested, with a Motion for Default Judgment and Order Setting Hearing Date.

The Evidentiary Panel has conducted a hearing and has found the Respondent in default; therefore, all facts alleged in the charging document are taken as true, pursuant to Rule 2.16(B) of the Texas Rules of Disciplinary Procedure.

### **JURISDICTION AND VENUE**

The Evidentiary Panel finds that Respondent is an attorney licensed to practice law in Texas and further finds that Respondent failed to timely file an election to have the complaint heard in a district court. Therefore, the Evidentiary Panel finds it has jurisdiction over the parties and subject matters of this action, and that venue is proper before the Evidentiary Panel of the District 07A Grievance Committee, Tarrant 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**

Respondent was retained on or about June 8, 2001, to draft a demand letter to a real estate management company on behalf of Complainant Karen Remmers (hereinafter referred to as "Complainant"). Respondent failed to provide any meaningful legal services on Complainant's behalf.

During the representation, Complainant requested the status of the matter on numerous occasions by telephone and by certified mail, but Respondent failed to respond to Complainant's requests.

On or about January 24, 2003, Respondent received notice of this complaint by certified mail, return receipt requested. Respondent was requested to reply, in writing, within thirty (30) days of receipt, but failed to do so and asserted no grounds for her failure to respond.

The foregoing facts support a violation of Rules 1.01(b)(1), 1.03(a) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

### **FULLY PROBATED SUSPENSION**

The Evidentiary Panel has issued a Findings of Fact and Conclusions of Law on file herein, and said findings and conclusions support a Judgment of Fully Probated Suspension and by reason of said findings and conclusions, the Panel is of the opinion that Respondent is guilty of professional misconduct and should be suspended for a period of one (1) year with such suspension being probated for one (1) year.

**IT IS THEREFORE AGREED and ORDERED** that Respondent be and is hereby suspended from the practice of law for a period of one (1) year with the imposition of such suspension being suspended and Respondent being placed on probation for a period of one (1) year beginning September 1, 2004, and ending August 31, 2005, 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 the laws of the United States or any other state other than minor traffic violations.
3. Respondent shall and specifically agrees to maintain a current status regarding membership fees and occupational tax.
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 her 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 her addresses or phone numbers.
6. Respondent shall not, during the period of probation, violate any term of this judgment.
7. 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.
8. Respondent shall pay State Bar attorneys' fees in the amount of One Thousand Seven Hundred Five and no/100 Dollars (\$1,705.00). Said attorneys' fees shall be paid no later than August 31, 2005, shall be paid by cashier's check or money order, made payable to the State Bar of Texas and delivered to the Office of the Chief Disciplinary Counsel, State Bar of Texas at One Lincoln Centre, 5400 LBJ Freeway, Suite 1280, Dallas, Texas 75240.
9. Respondent shall pay costs to the State Bar of Texas in the amount of Three Hundred Nineteen and 68/100 Dollars (\$319.68). Said costs shall be paid no later than August 31, 2005, shall be paid by cashier's check or money order, made payable to the State Bar of Texas and delivered to the Office of the Chief Disciplinary Counsel, State Bar of Texas at One Lincoln Centre, 5400 LBJ Freeway, Suite 1280, Dallas, Texas 75240.
10. Respondent shall complete eighteen (18) hours of Continuing Legal Education (CLE) in the areas of Law Office Management (ten (10) hours) and Ethics (eight (8) hours) no later than August 31, 2005. Verification of the completion of these courses shall be sent to the Chief Disciplinary Counsel's Office of the State Bar of Texas, at One Lincoln Centre, 5400 LBJ Freeway, Suite 1280, Dallas, Texas 75240, no later than September 5, 2005.

### **PROBATION REVOCATION**

**IT IS FURTHER AGREED and ORDERED** that upon determination by the Board of Disciplinary Appeals that Respondent has violated any of the terms or conditions of this 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 one (1) year, commencing on or after the date of revocation, with no credit given for any period of probation successfully served, 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 2.20, 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 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.

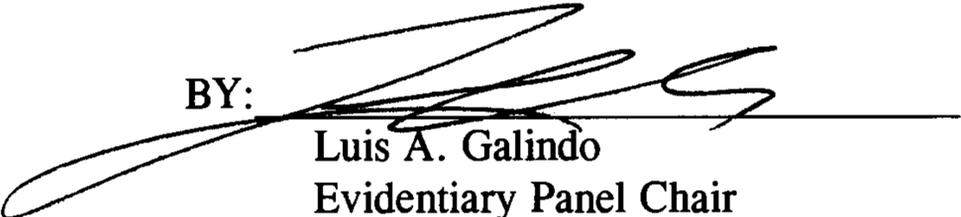
**IT IS FURTHER AGREED and ORDERED** that during any term of active suspension that may be imposed upon Respondent by the Board of Disciplinary Appeals by reason of Respondent's failure to adhere to the terms of this Judgment, Respondent shall be prohibited from practicing law in Texas, holding herself 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 herself out to others or using her name, in any manner, in conjunction with the words "attorney at law", "attorney", "counselor at law", or "lawyer".

All attorneys' fees and costs amounts ordered herein are due to the misconduct of the Respondent and are assessed as a part of the sanction in accordance with Rule 1.06(T) of the Texas Rules of Disciplinary Procedure and are intended by the parties to be non-dischargeable in

bankruptcy. Interest shall accrue on the attorneys' fees and costs from the date due as stated in this judgment at the rate of five percent (5%) per annum until paid.

SIGNED this 17<sup>th</sup> day of August, 2004.

EVIDENTIARY PANEL  
DISTRICT NO. 07A  
STATE BAR OF TEXAS

BY: 

Luis A. Galindo  
Evidentiary Panel Chair

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 7-1  
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner**

**V.**

**ANNETTE R. LOYD,  
Respondent**

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**CASE NO. 202103038**

**DEFAULT JUDGMENT OF ACTIVE SUSPENSION**

**Parties and Appearance**

On November 2, 2022, 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, **ANNETTE R. LOYD**, Texas Bar Number **16731100** (“Respondent”), appeared by and through her attorney of record, Francisco Hernandez. Respondent was duly served with the Evidentiary Petition and with notice of this default and sanctions hearing. Respondent filed an untimely Answer on date of said hearing.

**Jurisdiction and Venue**

The Evidentiary Panel 7-1, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 7, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

**Default**

The Evidentiary Panel finds Respondent was properly served with the Evidentiary Petition and that Respondent failed to timely file a responsive pleading to the Evidentiary Petition as required by Rule 2.17(B) of the Texas Rules of Disciplinary Procedure.

Accordingly, the Evidentiary Panel finds Respondent in default and further finds that all facts alleged in the Evidentiary Petition are deemed true pursuant to Rule 2.17(C) of the Texas Rules of Disciplinary Procedure.

### **Professional Misconduct**

The Evidentiary Panel, having deemed all facts as alleged in the Evidentiary Petition true, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

### **Findings of Fact**

The Evidentiary Panel, having considered the allegations as deemed true, 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 her principal place of practice in Tarrant County, Texas.
3. Annette R. Loyd (Respondent), also known as Annette Vanicek, failed to comply with a Judgment of Fully Probated Suspension that was entered against her on February 14, 2019, in Case Number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*.
4. Respondent failed to pay restitution of \$1,000 to Complainant, Vernon Bauer, on or before January 1, 2020; failed to pay attorney's fees of \$3,300 to the State Bar of Texas on or before January 1, 2020; failed to pay direct expenses of \$700 to the State Bar of Texas on or before January 1, 2020; and failed to complete six (6) additional hours of Continuing Legal Education (CLE) in Law Office Management on or before January 1, 2020, which were ordered in addition to the Minimum Continuing Legal Education requirements, and failed to verify completion of these additional CLE hours to the State Bar of Texas.
5. Notice and copy of the complaint were sent to Respondent via email on June 7, 2021 and September 14, 2021. Notice and copy of the complaint were also sent to Respondent via certified mail, return receipt requested, on September 14, 2021, and was served on September 16, 2021. Respondent failed to timely

respond to the complaint and failed in good faith to timely assert a privilege or other legal ground for her failure to do so.

6. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorney's fees and direct expenses associated with this Disciplinary Proceeding in the amount of One Thousand Seven Hundred Dollars (\$1,700.00).

### **Conclusions of Law**

The Evidentiary Panel concludes that, based upon the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated: 8.04(a)(7) and 8.04(a)(8).

### **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, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is an Active Suspension.

Accordingly, it is **ORDERED, ADJUDGED** and **DECREEED** that Respondent be shall be actively suspended from the practice of law for a period of Thirty-Six (36) months beginning November 2, 2022 and ending October 31, 2025 with the following terms and conditions:

1. It is further **ORDERED** Respondent shall pay restitution on or before December 7, 2022, to Vernon Bauer in the amount of One Thousand Fifty Dollars (\$1,050.00), which includes interest, in connection with underlying case number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*. Respondent shall pay the restitution by certified or cashier's check or money order made payable to Vernon Bauer and deliver 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).
2. It is further **ORDERED** Respondent shall pay all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Three Thousand Four

Hundred Sixty-Five Dollars (\$3,465.00), which includes interest, in connection with underlying case number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*. The payment shall be due and payable on or before January 7, 2023, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

3. It is further **ORDERED** Respondent shall pay all direct expenses to the State Bar of Texas in the amount of Seven Hundred Thirty-Five Dollars (\$735.00), which includes interest, in connection with underlying case number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*. The payment shall be due and payable on or before February 7, 2023, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

4. It is further **ORDERED** Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of One Thousand Seven Hundred Dollars (\$1,700.00), in connection with the present case. The payment shall be due and payable on or before February 7, 2023, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

#### **Terms of Active Suspension**

It is further **ORDERED** that during the term of active suspension ordered herein, Respondent shall be prohibited from practicing law in Texas; holding herself 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 or Federal court or before any administrative body; or holding herself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further **ORDERED** that, on or before December 9, 2022, Respondent shall notify each of Respondent's current clients and opposing counsel in writing of this suspension.

In addition to such notification, it is further **ORDERED** Respondent shall return any files, papers, unearned monies and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further **ORDERED** Respondent shall 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 9, 2022, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein. If it is Respondent's assertion that at the time of suspension she 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 suspension, 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 December 9, 2022, 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.

It is further **ORDERED** Respondent shall 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 9, 2022, an affidavit stating Respondent has

notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court 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 in Court. If it is Respondent's assertion that at the time of suspension she 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.

It is further **ORDERED** that, on or before December 9, 2022, Respondent shall surrender her 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.

**Restitution, Attorney's Fees and Expenses**

It is further **ORDERED** Respondent shall pay restitution on or before December 7, 2022, to Vernon Bauer in the amount of One Thousand Fifty Dollars (\$1,050.00), in connection with underlying case number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*. Respondent shall pay the restitution by certified or cashier's check or money order made payable to Vernon Bauer and deliver 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).

It is further **ORDERED** Respondent shall pay all reasonable and necessary

attorney's fees to the State Bar of Texas in the amount of Three Thousand Four Hundred Sixty-Five Dollars (\$3,465.00), in connection with underlying case number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*. The payment shall be due and payable on or before January 7, 2023, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** Respondent shall pay all direct expenses to the State Bar of Texas in the amount of Seven Hundred Thirty-Five Dollars (\$735.00), in connection with underlying case number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*. The payment shall be due and payable on or before February 7, 2023, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of One Thousand Seven Hundred Dollars (\$1,700.00), in connection with the present case. The payment shall be due and payable on or before February 7, 2023, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(FF) of

the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

It is further **ORDERED** that Respondent shall remain actively suspended from the practice of law as set out above until such time as Respondent has completely paid restitution to Vernon Bauer in the amount of One Thousand Fifty Dollars (\$1,050.00), in connection with underlying case number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*.

It is further **ORDERED** that Respondent shall remain actively suspended from the practice of law as set out above until such time as Respondent has completely paid all reasonable and necessary attorney's fees to the State Bar of Texas in the amount of Three Thousand Four Hundred Sixty-Five Dollars (\$3,465.00), in connection with underlying case number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*.

It is further **ORDERED** that Respondent shall remain actively suspended from the practice of law as set out above until such time as Respondent has completely paid all direct expenses to the State Bar of Texas in the amount of Seven Hundred Thirty-Five Dollars (\$735.00), in connection with underlying case number 201505595, styled *Commission for Lawyer Discipline v. Annette R. Loyd*.

It is further **ORDERED** that Respondent shall remain actively suspended from the practice of law as set out above until such time as Respondent has completely paid attorney's fees and direct expenses in the amount of One Thousand Seven Hundred Dollars (\$1,700.00) to the State Bar of Texas, in connection with the present case.

**Publication**

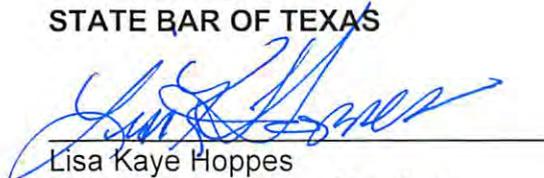
This suspension shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

**Other Relief**

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 18<sup>th</sup> day of November, 2022.

**EVIDENTIARY PANEL 7-1  
DISTRICT NO. 7-1  
STATE BAR OF TEXAS**



\_\_\_\_\_  
Lisa Kaye Hoppes  
District 7 Presiding Member

# App 3

**BEFORE THE DISTRICT 7 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 7-1  
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner**

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v.

**CASE NO. 202300582**

**ANNETTE R. LOYD,  
Respondent**

**ORDER ON MOTION FOR DEFAULT JUDGMENT**

On August 6, 2025, came to be heard the Commission for Lawyer Discipline's Motion for Default Judgment, in the above-entitled and numbered cause. After hearing the evidence submitted, the Evidentiary Panel is of the opinion that the Motion for Default Judgment should be, and is hereby:

\_\_\_\_\_ **DENIED.**

  X   **GRANTED** and **IT IS ACCORDINGLY**

**ORDERED, ADJUDGED, AND DECREED** that the following findings of fact and conclusions of law are deemed as true:

1. Annette R. Loyd (“Respondent”) is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent was hired by Walid Elwaei (“Elwaei”) in October 2019, for representation in a civil legal matter involving the sale of a home.
3. Respondent was paid \$350 for the legal representation.
4. Respondent represented Elwaei regarding his interests in the home and/or his obligations to the home seller.
5. Respondent provided Elwaei with legal advice regarding the sale of the home.
6. Respondent also represented the buyer regarding the sales transaction.

7. The dual representation created a conflict of interest, and Respondent failed to explain to one or both clients the potential adverse consequences of the shared representation.
8. The buyer and seller later disputed the sales transaction.
9. Respondent served as counsel for the buyer and filed suit against Elwaei on June 6, 2022, in case number 153-333918-22, in Tarrant County, Texas.
10. Respondent's representation of the buyer against Elwaei created a conflict of interest regarding subsequent litigation against a former client in the same underlying matter.
11. On February 16, 2023, notice and copy of the complaint were sent to Respondent.
12. Reminder letters were sent to Respondent on March 24, 2023, and April 19, 2023, advising Respondent that the State Bar of Texas had yet to receive her written response to the complaint.
13. After being served with the complaint, Respondent failed to furnish to the Chief Disciplinary Counsel's office a response or other information as required by the Texas Rules of Disciplinary Procedure, and Respondent did not in good faith timely assert a privilege or other legal ground for failure to do so.
14. Respondent, by her conduct in connection with the grievance initiated by Elwaei, violated Rules 1.06(b)(2), 1.06(d), 1.09(a)(3), and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.
15. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorney's fees and direct expenses associated with this Disciplinary Proceeding in the amount of \$2,2325.00.

**SIGNED** this 15th day of August 2025.



Antonio Allen  
**Evidentiary Panel Chair**