

**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 6th day of July 2011.



CHAIR PRESIDING