



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

**IN THE MATTER OF
WILLIAM TOPP MAXWELL
STATE BAR CARD NO. 24028775**

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§
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CAUSE NO. 56591

CORRECTED ORDER

On the 18th day of June 2024, the Board of Disciplinary Appeals considered whether to remove this compulsory discipline matter from the July 26, 2024, hearing docket. The Board finds as follows:

On February 2, 2016, the Board of Disciplinary Appeals issued an Interlocutory Order of Suspension, reflecting its finding that Respondent William Topp Maxwell was convicted of Intentional Crimes and Serious Crimes as defined by Texas Rule of Disciplinary Procedure (TRDP) 1.06. The Board suspended Respondent from the practice of law during the appeal of his criminal conviction, and the Interlocutory Order stated that the Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final. *See* TEX. R. DISCIPLINARY P. R. 8.04-.05.

Petitioner, the Commission for Lawyer Discipline, filed its Motion for Entry of Judgment of Disbarment on May 16, 2024. Attached to the Motion is an exhibit containing: (1) a Judgment issued by the United States Court of Appeals for the Third Circuit on July 17, 2023, in Cause No. No. 15-2925, styled *United States of America v. William Topp Maxwell*, affirming the judgment

of conviction, and (2) a letter from the Clerk of the United States Court of Appeals for the Third Circuit, dated July 17, 2023, stating that the certified judgment was reissued in lieu of a formal mandate. Each is a photocopy of a document certified as a true copy by the Clerk of the Third Circuit.

Petitioner filed proof of service with the Board on June 13, 2024, which contains documents indicating that Respondent, William Topp Maxwell, was hand-served the Motion by a deputy constable of Jefferson County, Texas, on May 23, 2024.

Pursuant to Texas Rule of Disciplinary Procedure 8.05, when a motion for final judgment of disbarment is supported by affidavits or certified copies of court documents showing that the conviction has become final, a respondent is entitled to a hearing on the motion only if the respondent files a verified denial contesting the finality of the conviction within ten days of service of the motion. TEX. RULES DISCIPLINARY P. R. 8.05. If a verified denial is not filed within ten days of service, the Board must decide the matter “without hearing.” *Id.*; see BODA INTERNAL PROCEDURAL RULE 6.02(b)(2).

Petitioner’s Motion for Entry of Judgment of Disbarment and attached exhibit indicate that Respondent’s conviction has been affirmed. Despite being duly served, Respondent did not file a verified denial contesting finality within ten days of service.

Accordingly, it is **ORDERED** that this matter is removed from the July 26, 2024, hearing docket and is set for disposition by the Board without a hearing.

Signed this 3rd day of July 2024.



CHAIR PRESIDING