

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

<b>IN THE MATTER OF</b>	§	
<b>LINDA JANE HEVRIN MCCUE</b>	§	<b>CAUSE NO. <u>44270</u></b>
<b>STATE BAR CARD NO. 24034563</b>	§	

**AGREED JUDGMENT OF SUSPENSION**

On this day, the above-styled and numbered compulsory disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and Respondent appeared through her attorney of record as indicated by their respective signatures below and announced that they agree to the findings of fact, conclusions of law and orders set forth below. The Board of Disciplinary Appeals, having reviewed the file and in consideration of the agreement of the parties, is of the opinion that Petitioner is entitled to entry of the following findings and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, Linda Jane Hevrin McCue, whose State Bar Card number is 24034563, is currently licensed but not authorized by the Supreme Court of Texas to practice law.
- (2) On or about January 30, 2009, Respondent, Linda Jane Hevrin McCue, was charged by Information with Tampering with a Governmental Record in Cause No. 1143245, in the 396<sup>th</sup> District Court of Tarrant County, Texas.
- (3) On or about January 30, 2009, an Unadjudicated Judgment on Plea of Guilty or Nolo Contendere and Suspending Imposition of Sentence was entered in Cause Number 1143245W styled, *The State of Texas v. Linda McCue*, in the 396<sup>th</sup> District Court of Tarrant County, Texas, (hereinafter called the "McCue" criminal case) wherein Respondent entered a plea of guilty to the charge of Tampering with a Governmental Record – Defraud/Harm, a State Jail Felony. The Court sentenced Respondent to two (2) years Deferred Adjudication Probation commencing on January 30, 2009, and ordered her to pay a \$1,000.00 fine.
- (4) Respondent, Linda Jane Hevrin McCue, is the same person as the Linda McCue who is the subject of the McCue criminal case described above.

- (5) On July 11, 2008, the District 07A Grievance Committee entered a Two-year Agreed Judgment of Partially Probated Suspension wherein Respondent was placed on active suspension for one year followed by a probated suspension for one year.
- (6) The acts that formed the basis for the disciplinary judgment agreed to by the parties and entered by the District 07A Grievance Committee are the same acts that formed the basis of the criminal case that now subjects Respondent to Compulsory Discipline.

Conclusions of Law. Based upon the foregoing findings of facts the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Rule 7.08(G), Texas Rules of Disciplinary Procedure;
- (2) Respondent, Linda Jane Hevrin McCue, has been placed on deferred adjudication probation for an intentional crime for purposes of Rule 8.04, Texas Rules of Disciplinary Procedure. Tampering with a Governmental Record – Defraud/Harm is an intentional crime as defined by Rule 1.06(T), Texas Rules of Disciplinary Procedure. Such crime is as well a serious crime as defined by Rule 1.06(Z), Texas Rules of Disciplinary Procedure.
- (3) Respondent, Linda Jane Hevrin McCue, should be suspended for the term of her criminal probation as originally assessed.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Linda Jane Hevrin McCue, State Bar Card No. 24034563, be and is hereby SUSPENDED from the practice of law in Texas and her license to practice law in the State of Texas is hereby SUSPENDED for a period beginning effective the date of entry of this judgment and ending January 29, 2011.

It is further ORDERED, pursuant to Rule 8.06, Texas Rules of Disciplinary Procedure, that the suspension ordered herein shall be conditioned upon the Respondent satisfactorily completing the terms of the criminal probation. The Board of Disciplinary Appeals retains jurisdiction in this matter during the full term of suspension to determine whether the Respondent has satisfactorily completed the terms of the criminal probation.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Linda Jane Hevrin

McCue, 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 or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body, or holding herself out to others or using her name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, Linda Jane Hevrin McCue, 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, Linda Jane Hevrin McCue, 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, Linda Jane Hevrin McCue, 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 this Board, 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, Linda Jane Hevrin McCue, 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.

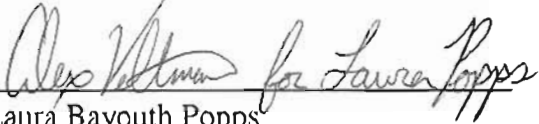
It is further ORDERED that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Judgment, be sent to the Office of Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711

It is further ORDERED that this AGREED JUDGMENT OF SUSPENSION shall be made a matter of public record and be published in the Texas Bar Journal.


Signed this 31<sup>st</sup> day of July 2009.

Alonzo E. Pitts  
Chairman Presiding  
Board of Disciplinary Appeals

APPROVED AS TO FORM AND CONTENT:

  
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Laura Bayouth Popps

Deputy Counsel for Administration  
State Bar Card No. 00787050  
Attorney for Petitioner

  
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Tom E. Hill

State Bar Card No. 09655500  
Attorney for Respondent

  
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Linda Jane Hevrin McCue

Linda Jane Hevrin McCue  
State Bar Card No. 24034563  
Respondent