



FILED
Sep 15 2025

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

No. 71509

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

SUMMER AJA MCELROY
STATE BAR OF TEXAS CARD NO. 24042610,
APPELLANT

V.

COMMISSION FOR LAWYER DISCIPLINE,
APPELLEE

*On Appeal from an Evidentiary Panel
For the State Bar of Texas District 4
No. 202300421 [Worrell]*

JOINT MOTION TO REVERSE AND REMAND

SEANA WILLING
CHIEF DISCIPLINARY COUNSEL

ROYCE LEMOINE
DEPUTY COUNSEL FOR ADMINISTRATION

MICHAEL G. GRAHAM
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SUMMER AJA MCELROY
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SUMMER AJA McELROY
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JOINT MOTION TO REVERSE AND REMAND

TO THE HONORABLE BOARD OF DISCIPLINARY APPEALS:

Appellee, the Commission for Lawyer Discipline (the “Commission”), and Appellant, Summer Aja McElroy (“McElroy”) (collectively, “Movants”), file this Joint Motion to Reverse and Remand and ask that the Board, pursuant to Rule 2.25(D) of the TEXAS RULES OF DISCIPLINARY PROCEDURE, Rule 43.2(d) of the TEXAS RULES OF APPELLATE PROCEDURE, and Rule 4.07(a)(4)(i) of the Board’s INTERNAL PROCEDURAL RULES, set aside the Judgment of Partially Probated

Suspension in this matter without regard to the merits and remand this case to the Evidentiary Panel for further proceedings in accordance with Part II of the Texas Rules of Disciplinary Procedure.

I.

This is an appeal from a Judgment of Partially Probated Suspension entered on April 29, 2025, against McElroy by the District 4-5 Evidentiary Panel, in Case No. 202300421, styled *Commission for Lawyer Discipline v. Summer Aja McElroy*. [Exh. A].

The parties' review of the record in this matter indicates a lack of effective service on McElroy of the Commission's Original Evidentiary Petition prior to the evidentiary panel's entry of its Judgment of Partially Probated Suspension. As such, the parties agree that McElroy is entitled to further evidentiary proceedings in the underlying matter.

II.

The Board has authority to set aside a judgment and remand a case for further proceedings before an evidentiary panel. TEX. R. DISCIPLINARY P.R. 2.25(D); TEX. R. APP. P. 43.2(d); TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.07(a)(4)(i). Pursuant to the Board's authority, Movants request that the Board set aside the Judgment of Partially Probated Suspension entered against McElroy and remand this case for further proceedings in accordance with Part II of the Texas Rules of

Disciplinary Procedure. A copy of a proposed Agreed Order Granting Joint Motion to Reverse and Remand is attached hereto as Exhibit B. [Exh. B].

CONCLUSION AND PRAYER

For these reasons, Movants pray that the Board grant the instant motion and set aside the Judgment of Partially Probated Suspension and remand this matter to the Evidentiary Panel for further proceedings in accordance with Part II of the Texas Rules of Disciplinary Procedure.

RESPECTFULLY SUBMITTED,

SEANA WILLING
CHIEF DISCIPLINARY COUNSEL

ROYCE LEMOINE
DEPUTY COUNSEL FOR ADMINISTRATION

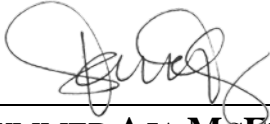
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SUMMER AJA McELROY
STATE BAR CARD NO. 24042610
APPELLANT, PRO SE

CERTIFICATE OF SERVICE

This is to certify that the above and foregoing Joint Motion to Reverse and Remand has been served on Appellant, Summer Aja McElroy, by email to samcelroy@gmail.com on the 15th day of September, 2025.



MICHAEL G. GRAHAM
APPELLATE COUNSEL
STATE BAR OF TEXAS

Exh A

FILED

04/29/2025



Houston Office
Chief Disciplinary Counsel

**BEFORE EVIDENTIARY PANEL 4-5 OF THE
STATE BAR DISTRICT NO. 4 GRIEVANCE COMMITTEE**

COMMISSION FOR LAWYER DISCIPLINE,	§	202300421 [WORRELL]
Petitioner,	§	
	§	
v.	§	
	§	
SUMMER AJA MCELROY,	§	
Respondent.	§	HARRIS COUNTY, TEXAS

JUDGMENT OF PARTIALLY PROBATED SUSPENSION

Parties and Appearance

On April 11, 2025, came to be heard the above styled and numbered cause. Petitioner, the Commission for Lawyer Discipline, appeared by and through its attorney of record and announced ready. Respondent, Summer Aja McElroy, Texas Bar Number 24042610, although duly served with the Evidentiary Petition and notice of this default and sanctions hearing, failed to appear.

Jurisdiction and Venue

Evidentiary Panel 4-5, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District No. 4, 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 that 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 Harris County, Texas.
3. Respondent failed to keep Jentel P. Worrell reasonably informed about the status of her legal matter and failed to promptly comply with reasonable requests for information.
4. Upon termination of representation, Respondent failed to surrender papers and property to which Jentel P. Worrell was entitled.
5. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees associated with this Disciplinary Proceeding in the amount of \$1,250.00.

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 1.03(a) and 1.15(d).

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 a Partially Probated Suspension.

Accordingly, it is ORDERED, ADJUDGED, and DECREED that Respondent be suspended from the practice of law for a period of four (4) years, beginning May 1, 2025, and ending April 30, 2029. Respondent shall be actively suspended from the practice of law for a period of two (2) years beginning May 1, 2025, and ending April 30, 2027. The two (2) year period of probated suspension shall begin on May 1, 2027, and shall end on April 30, 2029.

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 May 31, 2025, 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, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin,

TX 78701) on or before May 31, 2025, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, unearned 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 he possessed no current clients and/or Respondent was not in possession of any files, papers, unearned 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, unearned monies and other property belonging to clients.

It is further ORDERED Respondent shall, on or before May 31, 2025, 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, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before May 31, 2025, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, administrative judge or officer, 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 he was not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, and 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 May 31, 2025, Respondent shall surrender her law license and permanent State Bar Card to the State Bar of Texas, Office of the Chief Disciplinary Counsel, 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, 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(CC) 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 reasonable and necessary attorneys' fees to the State Bar of Texas in the amount of \$1,250.00.
9. Respondent shall make contact with the Office of the Chief Disciplinary Counsel Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, 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 2.22 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

It is further ORDERED Respondent shall pay reasonable and necessary attorneys’ fees to the State Bar of Texas in the amount of \$1,250.00. The payment shall be due and payable on or before May 31, 2025, 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, Office of the Chief Disciplinary Counsel, 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 attorneys' fees in the amount of \$1,250.00 to the State Bar of Texas.

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 29th day of April, 2025.

EVIDENTIARY PANEL 4-5
DISTRICT NO. 4
STATE BAR OF TEXAS



ROBERT MILTON MORSE
4-5 Presiding Member

Exh B



**BEFORE THE BOARD OF DISCIPLINARY APPEALS
Appointed By
THE SUPREME COURT OF TEXAS**

SUMMER AJA MCELROY

v.

COMMISSION FOR LAWYER DISCIPLINE

§
§
§
§
§

CAUSE NO. 71509

ORDER GRANTING JOINT MOTION TO REVERSE AND REMAND

On this day the Board of Disciplinary Appeals considered the Joint Motion to Reverse and Remand filed by the Appellant and Appellee in the above case. The Board finds that the motion should be granted.

IT IS THEREFORE ORDERED that the Joint Motion to Reverse and Remand be, and hereby is, **GRANTED**.

It is further **ORDERED** that the Judgment of Partially Probated Suspension dated April 29, 2025, in Case No. 202300421, before the Evidentiary Panel 4-5 of the State Bar District No. 4 Grievance Committee, styled *Commission for Lawyer Discipline v. Summer Aja McElroy* be, and hereby is, **REVERSED**.

It is further **ORDERED** that the case is **REMANDED** to the Evidentiary Panel 4-5 of the State Bar District No. 4 Grievance Committee for further proceedings in accordance with Part II of the Texas Rules of Disciplinary Procedure.

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

SIGNED this _____ day of _____ 2025.

CHAIR PRESIDING