

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

**IN THE MATTER OF**  
**RANDOLPH MICHAEL NACOL, II**  
*State Bar of Texas Card No. 24042408*

§  
§  
§

**CAUSE NO.** 58211

**AGREED JUDGMENT OF INDEFINITE DISABILITY SUSPENSION**

The Chief Disciplinary Counsel ("CDC"), upon investigation of ten disciplinary complaints, reasonably believes that Randolph Michael Nacol, II ("Respondent") is suffering from a Disability and has been authorized by the Commission for Lawyer Discipline to enter into this Agreed Judgment of Indefinite Disability Suspension.

Respondent has entered into this Agreed Judgment of Indefinite Disability Suspension and has submitted a Waiver (attached as Exhibit "A") in which he specifically waives the appointment of a District Disability Committee and the right to appointed counsel.

**IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED**, pursuant to TEXAS RULES OF DISCIPLINARY PROCEDURE Part XII, that Respondent, **Randolph Michael Nacol, II**, State Bar Card No. 24042408, is hereby **SUSPENDED** from the practice of law in the State of Texas immediately as of the date of this judgment and continuing thereafter until reinstated by this Board or by a court of competent jurisdiction.

It is further **ORDERED, ADJUDGED, and DECREED** that Respondent, **Randolph Michael Nacol, II**, is hereby prohibited during said suspension from practicing law in Texas, holding himself out as an attorney at law, performing any legal services for others, accepting any fee directly or indirectly for legal services not completed before the date of this judgment, appearing as counsel in any proceeding in any Texas court or before any

Texas administrative body, or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further **ORDERED** that Respondent, **Randolph Michael Nacol, II**, shall, within thirty (30) days from the date of this judgment, notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any legal matter pending, if any, of his 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 Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent shall immediately notify each of his current clients, if any, in writing of his 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 that are in his 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, **Randolph Michael Nacol, II**, is **ORDERED** to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating that all current clients and opposing counsel have been notified of his 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 his inability to return to said client any file, paper, money or other property. Respondent is also **ORDERED** to mail a copy of all notification letters to clients to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent immediately surrender his Texas law license and permanent State Bar Card to the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

~~It is further **ORDERED, ADJUDGED, and DECREED** that Respondent shall not be eligible to petition for reinstatement from this Indefinite Disability Suspension until: DNK~~

- ~~1. One (1) year following the date of Respondent's completion of any sentence (including any period of probation, parole, and/or supervised release) for any felony or misdemeanor in any state or federal criminal proceeding; and~~
- ~~2. Respondent obtains written opinions from two (2) Doctors (as defined below) who state that Respondent is no longer suffering from a Disability and that termination of the suspension would be without danger to the public and the profession. (The term "Doctor" refers to either a licensed doctor of medicine or a licensed mental health care provider holding a doctorate degree.)~~


~~These requirements shall be in addition to any other reinstatement petition requirements contained in the Texas Rules of Disciplinary Procedure.~~


Signed this 10 day of October, 2016.

  
\_\_\_\_\_  
CHAIR PRESIDING

AGREED AS TO BOTH FORM  
AND SUBSTANCE:

\_\_\_\_\_  
Vanessa G. Windham  
Assistant Disciplinary Counsel  
State Bar of Texas  
State Bar No. 24050651


  
\_\_\_\_\_  
Jeffery D. Wagnon  
Counsel for Respondent  
State Bar No. 20661600

  
\_\_\_\_\_  
Randolph Michael Nacol, II  
Respondent  
State Bar No. 24042408

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
CHAIR PRESIDING

AGREED AS TO BOTH FORM  
AND SUBSTANCE:



\_\_\_\_\_  
Vanessa G. Windham  
Assistant Disciplinary Counsel  
State Bar of Texas  
State Bar No. 24050651

\_\_\_\_\_  
Jeffery D. Wagnon  
Counsel for Respondent  
State Bar No. 20661600

\_\_\_\_\_  
Randolph Michael Nacol, II  
Respondent  
State Bar No. 24042408

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

IN THE MATTER OF

RANDOLPH MICHAEL NACOL, II

STATE BAR CARD NO. 24042408

STATE OF TEXAS

COUNTY OF FORT BEND

§  
§  
§  
§  
§  
§  
§  
§  
§

CAUSE NO. 58211

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared Randolph Michael Nacol, II, State Bar No. 24042408, known to me to be the person whose name is subscribed below, and who after being duly sworn, stated on his oath:


"My name is Randolph Michael Nacol, II. I am over 18 years of age and am competent to make this waiver and am personally acquainted with the facts herein stated.

"It is my understanding that the Chief Disciplinary Counsel is willing to stipulate to the facts and existence of the disability from which I suffer. I hereby stipulate to same.

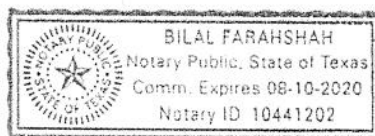
"I hereby waive the right to be separately noticed of a disability complaint by the Chief Disciplinary Counsel and I waive the right to any disciplinary hearing resulting therefrom. I further waive the right to have the Board of Disciplinary Appeals review the record and findings of the Chief Disciplinary Counsel regarding the disability from which I suffer, and waive the right to the appointment of a District Disability Committee as provided in Rule 12.02 of the Texas Rules of Disciplinary Procedure. I further waive the right to a hearing before a District Disability Committee. I have been advised of the right to have counsel appointed to represent me in this matter and I waive that right. I currently have counsel representing me in this matter.

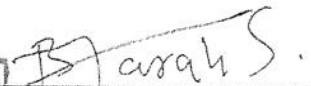
"I accept and stipulate to the Chief Disciplinary Counsel's findings that I suffer from a disability and request that the Board of Disciplinary Appeals enter an Order of my indefinite suspension from the practice of law.

"I acknowledge the above to be true and correct."

  
\_\_\_\_\_  
Randolph Michael Nacol, II

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, this 13  
day of 09, 2016.



  
\_\_\_\_\_  
Notary Public, State of Texas

Waiver - Nacol

Page 1 of 1