



F I L E D  
Dec 20 2024

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

**IN THE MATTER OF** §  
**EARL S. NESBITT** § **CAUSE NO. 70374**  
**STATE BAR CARD NO. 14916900** §

**AGREED MOTION FOR CONTINUANCE  
AND TO ESTABLISH BRIEFING SCHEDULE**

TO THE HONORABLE BOARD:

Respondent Earl S. Nesbitt (“Respondent”), Respondent in the above-styled matter, files this Agreed Motion for Continuance and to Establish Briefing Schedule. In support of his Motion, Respondent respectfully shows the Board as follows:

The Commission for Lawyer Discipline filed a Petition for Reciprocal Discipline in this matter on December 3, 2024. The Board issued a Show Cause Order on December 9, 2024 and set the matter for hearing on January 31, 2025.

Respondent filed his Answer on December 20, 2024 and asserted defenses to the petition. The pleaded defenses raise important factual and legal issues, which may be issues of first impression before the Board. Respondent also anticipates relying on multiple exhibits. Respondent believes the Board's consideration of his evidence and legal arguments will be aided by full briefing and the opportunity for the Commission to review and respond. Given the intervening holidays, Respondent respectfully requests that the Board continue this case to the next scheduled hearing date in April and that the Board enter the following briefing schedule:

Respondent's Brief	January 31, 2025
Commission's Response	February 28, 2025
Respondent's Reply	March 21, 2025

This continuance is not sought solely for delay, but to allow a full consideration of the issues raised and so that justice may be done.

The undersigned has conferred with counsel for the Commission, Amanda Kates, and Ms. Kates has indicated she is in agreement with the requested continuance and briefing schedule.

WHEREFORE, Respondent Earl S. Nesbitt respectfully prays that the above-styled case be continued to April and that the Board enter the requested briefing schedule.

Respectfully submitted,

/s/ Kelli M. Hinson

**KELLI M. HINSON**

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***Attorney for Respondent***

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing pleading has been served via email on Amanda M. Kates, Assistant Disciplinary Counsel, Office of the Chief Disciplinary Counsel, on this 20th day of December, 2024.

/s/ Kelli M. Hinson

**KELLI M. HINSON**