

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



F I L E D
Jul 30 2026

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

In the Matter of

RICHARD ANTHONY PATTI

State Bar Card No. 14667390

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Cause No. 73114

**RESPONDENT RICHARD A. PATTI'S
SUPPLEMENT TO ORIGINAL ANSWER**

TO THE BOARD OF DISCIPLINARY APPEALS:

RICHARD A. PATTI, Respondent, per the Board of Disciplinary Appeals (“BODA”) Instructions and Admonishments for BODA Hearings, respectfully supplements his previously filed Original Answer to the Petition for Compulsory Discipline filed by the Commission for Lawyer Discipline (the “Commission”) in this cause, to explain why the Board should exercise its discretion under Rule 8.06 of the Texas Rules of Disciplinary Procedure (“TRDP”) to suspend, rather than disbar, the Respondent, should the Board decide to proceed now with imposition of compulsory discipline.

In support hereof, Respondent presents the following:

1. The Board should defer action on Mr. Patti’s licensure; but if the Board should decide to proceed now with imposition of compulsory discipline, then the appropriate action would be suspension of the license under TRDP 8.06, because of the lack of finality in the underlying case and prospects for dismissal of the charge and early termination of the deferred adjudication order and its attendant plea held in abeyance, given the legal cloud that looms over

those proceedings with the dubious nature of the “bought & paid for” indictment from which the order arose and the prosecutorial misconduct and vindictiveness shown by the conflicted-out Harris County District Attorney’s Office in their wrongful pursuit and harassment of Respondent in the months thereafter, culminating in the November 2025 order and its attendant plea that brings the matter before this Board.

2. Dismissal of the underlying charge will be considered once the recently appointed new (second) Special Counsel has the opportunity to complete his work in review of an already-pending motion concerning duplicative restitution found in the order and then - once the restitution error is resolved - address the broader issue of redress for the prosecutorial misconduct. At a hearing held on July 29, 2026, the Special Counsel reported to the Court that he is still in the process of conducting his review of the pending motion, and so the hearing was reset to August 25, 2026.

3. Appointment of a special counsel in the underlying case was made necessary because of a conflict of interest with any handling of the matter by the Office of the Harris County District Attorney - Sean Teare - who was hired by Mr. Patti’s older brother (also an attorney licensed in Texas) to secure the criminal charge in the days just before Mr. Teare took office as Harris County DA on January 1, 2025. The subject of the charge is a long running family dispute between Mr. Patti and his older siblings following the 2022 passing of his mother, who had entrusted everything to Mr. Patti in the handling of affairs for her and her estate for many years. At the time of Respondent’s brother’s hiring of Mr. Teare as the incoming DA, the wife of Respondent’s brother (Respondent’s sister-in-law) was pursuing civil litigation against

Mr. Patti seeking to get more money out of Mr. Patti and his late mother's estate - a lawsuit from which Respondent's brother stood to gain direct financial benefit from its outcome; that lawsuit was ultimately settled in May 2025, months before the November 2025 order and its attendant plea were entered.

4. For the violation of Mr. Patti's constitutional right to due process with the "prosecutorial vindictiveness" shown by the conflicted-out Harris County DA's Office in coordination with the civil litigation attorneys for Respondent's older siblings, Texas law prescribes dismissal of the charge as the principal, if not sole remedy. *See, e.g., State vs. Hill*, 558 S.W.3d 280 (Tex. App.—Dallas 2018).

5. Moreover, this Board previously has found that the grievance that Mr. Patti filed with the State Bar of Texas concerning these actions by his older brother with the Harris County DA and Mr. Teare, constitute a complaint of professional misconduct for violation of Rule 4.04 of the Texas Disciplinary Rules of Professional Conduct, which forbids presentment of disciplinary charges and participation in presentment of criminal charges solely to gain advantage in a concurrent civil lawsuit. This Board has directed the Office of the Chief Disciplinary Counsel for the State Bar of Texas to further investigate and process Mr. Patti's complaint to determine if just cause exists to proceed for violation of Rule 4.04 or of any other disciplinary rules implicated for misconduct leading to the criminal charge for which the deferred adjudication order and its attendant plea were entered. *See BODA Case No. 72494 (In the Matter of James George Munisteri; State Bar Card No. 14667380).*

6. The purpose of providing this detail on the underlying proceeding is to impress

upon this Board that the grounds and prospects for dismissal of the charge and termination of the order and its concomitant plea are solid and made in good faith. These issues have begun to be raised with the District Judge, but their resolution will not happen overnight, and thus there is a gaping lack of finality shown with those proceedings. Respondent respectfully asks this Board to afford the 262nd Judicial District Court of Harris County and the new Special Counsel the opportunity to competently examine these issues and make their determinations, before moving forward with any impairment on Mr. Patti's license.

ACCORDINGLY, Respondent Richard A. Patti respectfully prays that the Board of Disciplinary Appeals deny the plea of the Commission to impose compulsory discipline at this time, and if the Board should decide to proceed now with imposition of compulsory discipline, then to exercise its discretion under TRDP 8.06 and suspend, rather than disbar, Respondent, and to enter any additional orders and afford such other relief to the parties as the Board deems appropriate.

Respectfully submitted,

Dated: July 29, 2026



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CERTIFICATE OF SERVICE

I certify that on July 29, 2026, a true and correct copy of the foregoing RESPONDENT RICHARD A. PATTI'S SUPPLEMENT TO ORIGINAL ANSWER was served through transmission to the Office of the Chief Disciplinary Counsel by and through their designated attorney of record - Ms. Amanda M. Kates, Assistant Disciplinary Counsel - via email to Amanda.Kates@TEXASBAR.COM, the email address at which I have regularly communicated with said counsel thus far in this matter and from which said counsel has sent me email correspondence, and that the electronic transmission was reported as complete.



RICHARD A. PATTI