

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

**IN THE MATTER OF
GREGG ALAN PEACOCK
STATE BAR CARD NO. 24029765**

§
§
§

CAUSE NO. 45700

Corrected

AGREED JUDGMENT OF PARTIALLY-PROBATED SUSPENSION

On the 4th day of December, 2009, the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and Respondent appeared pro se 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, Gregg Alan Peacock, is an attorney who is authorized to practice law in the State of Texas, and whose Bar Card No. is 24029765;
- (2) On October 7, 2009, in an Order filed in A09-1158, *In Re Petition for Disciplinary Action against Gregg Alan Peacock, a Minnesota Attorney, Registration No. 28757X*, the State of Minnesota Supreme Court suspended the Respondent from the practice of law for a period of sixty days followed by two years of unsupervised probation commencing on October 21, 2009;
- (3) Respondent, Gregg Alan Peacock, is the same person as the Gregg Alan Peacock, who is the subject of the Order by the State of Minnesota Supreme

Court; and

- (4) The suspension Order from the State of Minnesota Supreme Court is final.

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(H), Texas Rules of Disciplinary Procedure;
- (2) Reciprocal discipline identical to that imposed by the State of Minnesota Supreme Court is warranted in this case.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Greg Alan Peacock, State Bar Card No. 24029765, is hereby SUSPENDED from the practice of law in Texas for a period of two years and two months beginning December 4, 2009, and ending February 4, 2012. Respondent shall be actively suspended from the practice of law for a period of two months beginning December 4, 2009, and ending February 4, 2010, with the two-year period of probated suspension beginning on February 4, 2010, and ending on February 4, 2012, under the following terms and conditions:

It is further AGREED and 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 himself 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 himself out

to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further ORDERED that, on or before fifteen (15) days after the signing of this judgment Respondent shall notify each of Respondent's current Texas clients 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 Texas clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further ORDERED that Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before fifteen (15) days after the signing of this judgment, an affidavit stating all current Texas clients have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current Texas clients have been returned as ordered herein.

It is further ORDERED Respondent shall, on or before fifteen (15) days after the signing of this judgment, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every Texas 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, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before fifteen (15) days after the signing of this judgment, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each

and every Texas 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.

It is further ORDERED that, on or before fifteen (15) days after the signing of this judgment, Respondent shall surrender his law license and permanent State Bar Card to the State Bar of Texas, Chief Disciplinary Counsel's Office, 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 of the provisions of the Texas Disciplinary Rules of Professional Conduct nor any provision of the State Bar Rules.
2. That Respondent not be found guilty of, or plead no contest to, any felony involving moral turpitude or any misdemeanor involving theft, embezzlement, or fraudulent misappropriation of money or other property.
3. That Respondent notify both the Office of Chief Disciplinary Counsel and the Membership Department of the State Bar of Texas of any change in Respondent's address within thirty (30) days of the change of address.

IT IS FURTHER AGREED and ORDERED that upon determination by the Board of Disciplinary Appeals that Respondent has violated any of the terms or conditions of probation, the Board shall enter an order revoking the probation and imposing the active suspension of the Respondent from the practice of law for a period of two (2) years, commencing on or after the date of revocation, upon the following conditions:

1. Any grievance committee of the State Bar of Texas or the Chief Disciplinary

Counsel of the State Bar of Texas may apply for revocation to the Board of Disciplinary Appeals, by filing a written motion to revoke probation;

2. A copy of the Motion to Revoke Probation and Notice of Hearing on such Motion shall be delivered to Respondent by personal service or any method pursuant to Rule 21a, Texas Rules of Civil Procedure, at Respondent's last known address on the membership rolls for the Supreme Court of Texas; and
3. The Board shall hear the Motion to Revoke Probation within thirty (30) days of service upon Respondent, and shall determine whether Respondent has violated any of the terms or conditions of probation by a preponderance of the evidence.

It is further AGREED and ORDERED that during any term of active suspension that may be imposed upon Respondent by the Board of Disciplinary Appeals by reason of Respondent's failure to adhere to the terms of this Judgment, Respondent shall be prohibited 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, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any administrative body, or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law", "attorney", "counselor at law", or "lawyer".


This Probated Suspension is to be made a matter of record and appropriately recorded in accordance with the Texas Rules of Disciplinary Procedure.

It is further ORDERED that the Clerk of this Court shall forward a certified copy of Petitioner's Petition for Reciprocal Discipline on file herein, along with a copy of this Judgment, to each the Clerk of the Supreme Court of Texas, Supreme Court Building, P.O. Box 12248, Austin, Texas 78711, and to the Office of Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that this PARTIALLY- PROBATED SUSPENSION shall be made a matter of public record and be published in the Texas Bar Journal, as well as a newspaper of general circulation in the county of Respondent's residence or office.

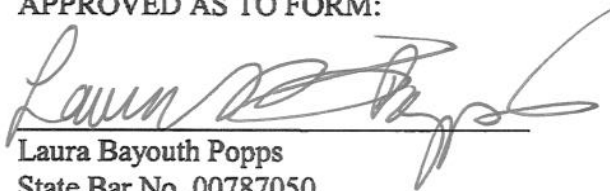
Signed this 4th day of December 2009.

Corrected this 15th day of January 2010



Chairman Presiding
Board of Disciplinary Appeals
Appointed by the Supreme Court of Texas


APPROVED AS TO FORM:



Laura Bayouth Popp

State Bar No. 00787050
Deputy Counsel for Administration
Office of the Chief Disciplinary Counsel
STATE BAR OF TEXAS
P.O. Box 12487, Capitol Station
Austin, Texas 78711-2487
512.427.1350
512.427.4167 Fax

ATTORNEYS FOR PETITIONER



Gregg Alan Peacock
State Bar Card No. 24029765
1600 Tcf Tower
121 S. 8th Street
Minneapolis, MN 55402

RESPONDENT, PRO SE

CHAIR
W. CLARK LEA

VICE CHAIR
JOAL CANNON SHERIDAN

MEMBERS
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DAVID A. CHAUMETTE
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DEBORAH J. RACE
BEN SELMAN
CHARLES L. SMITH
THOMAS J. WILLIAMS



EXECUTIVE DIRECTOR & GENERAL COUNSEL
CHRISTINE E. MCKEEMAN

DEPUTY DIRECTOR/COUNSEL
GAYLE RILEY VICKERS

EXECUTIVE ASSISTANT
JACKIE L. TRUITT

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

October 8, 2008

Gregg Alan Peacock
1600 TCF Tower
121 S. 8th St.
Minneapolis, MN 55402

Laura Bayouth Popps
Assistant Disciplinary Counsel
State Bar of Texas
PO Box 12487
Austin, TX 78711

RE: *In the Matter of Gregg Alan Peacock; State Bar Card #24029765*
BODA Cause No. 45700

Dear Mr. Peacock and Mrs. Popps:

Enclosed is a copy of the *Agreed Judgment of Partially-Probated Suspension* of the Board of Disciplinary Appeals signed on December 4, 2009 for this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jackie Truitt".

Jackie Truitt
Executive Assistant