



FILED

Jun 03 2026

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

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

IN THE MATTER OF §
JAMES CHRISTOPHER PITTMAN, § CAUSE NO. 73020
STATE BAR CARD NO. 24013337 §

RESPONSE TO RESPONDENT'S MOTION FOR CONTINUANCE

TO THE BOARD OF DISCIPLINARY APPEALS

NOW COMES the Commission for Lawyer Discipline ("Commission"), and files this Response to Respondent's Motion for Continuance. The Commission asks the Board of Disciplinary Appeals ("Board") to deny Respondent's Motion for Continuance because Respondent has failed to comply with the requirements under the Texas Rules of Civil Procedure and this Board's Internal Procedural Rules.

I. BACKGROUND

The Commission filed its Petition for Compulsory Discipline against Respondent James Christopher Pittman on May 6, 2026 pursuant to Rules 8.04 and 8.05 in part VIII of the Texas Rules of Disciplinary Procedure, which state in pertinent part as follows:

Rule 8.04

Upon introduction into evidence of a certified copy of the judgment of conviction or order of deferred adjudication and a certificate of the Clerk of the Supreme Court that the attorney is licensed to practice law in Texas, the Board of Disciplinary Appeals shall ***immediately*** determine whether the attorney has been convicted of an Intentional Crime or granted probation without an adjudication of guilt for an Intentional Crime. Uncontroverted affidavits that the attorney is the same person as the person convicted or granted probation without an adjudication of guilt are competent and sufficient evidence of those facts. Nothing in these rules prohibits proof of the necessary elements in such Disciplinary Action by competent evidence in any other manner permitted by law. ***The Board of Disciplinary Appeals shall sit, hear and determine whether the attorney should be disciplined and enter judgment accordingly within forty-five days of the answer day;*** however, any failure to do so within the time limit will not affect its jurisdiction to act.

Rule 8.05

When an attorney has been convicted of an Intentional Crime, and that conviction has become final, or the attorney has accepted probation with or without an adjudication of guilt for an Intentional Crime, **the attorney shall be disbarred unless the Board of Disciplinary Appeals, under Rule 8.06,** suspends his or her license to practice law.

TEX. R. DISCIPLINARY PR. 8.04 - 8.05. (emphasis added)

Respondent has not filed an answer. A hearing on the Commission's Petition for Compulsory Discipline is set for July 31, 2026. Respondent filed the instant Respondent's Motion for Continuance on May 26, 2026.

II. ARGUMENTS AND AUTHORITIES

A. Motion for Continuance

"The granting or denial of a motion for continuance is within the trial court's sound discretion." *Villegas v. Carter*, 711 S.W.2d 624, 626 (Tex. 1986). The Board may grant a motion for continuance if the Respondent has filed an answer and the motion for continuance is supported by an affidavit showing sufficient cause. TEX. R. CIV. P. 251. "Generally, when movants fail to comply with Tex. R. Civ. P. 251's requirement that the motion for continuance be 'supported by affidavit,' we presume that the trial court did not abuse its discretion in denying the motion." *Id.*

Importantly, the Board's Internal Procedural Rule 1.09(a)(1) requires a motion to be "supported by sufficient cause" and to "state with particularity the grounds on which it is based and set forth the relief sought. All supporting briefs, affidavits, or other documents must be served and filed with the motion." *See Board's Internal Procedural Rule 1.09(a)(1)*. The Board should deny a motion for continuance if the motion is filed before the Respondent files an answer or when the motion is not supported by an affidavit showing "sufficient cause." *See* TEX. R. CIV. P. 251. Texas permits individuals to substitute an unsworn declaration for an affidavit required by statute. TEX. CIV. PRAC. & REM. CODE ANN. § 132.001.

Respondent has not filed an answer stating any defense or legal reason as to why

Respondent's conviction does not amount to a serious and intentional crime subject to compulsory discipline. Significantly, Respondent's Motion for Continuance does not include an affidavit showing "sufficient cause," as required under TEX. R. CIV. P. 251. Granting a continuance will allow Respondent to continue practicing law for another three months. Respondent has secured competent counsel to defend him at his hearing scheduled for July. Therefore, Respondent's motion should be denied.

In the alternative, if the Board is inclined to grant Respondent's motion for continuance, Respondent should be ordered suspended during the intervening time between now and the new hearing date set, pending the Board's decision regarding whether to disbar Respondent or to suspend him for the duration of his criminal probation. This outcome would protect both the public and the legal profession, as well as allow Respondent's counsel the additional time he has requested.

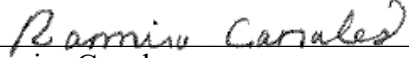
PRAYER

WHEREFORE, PREMISES CONSIDERED, the Commission prays that the Board DENY Respondent's Motion for Continuance.

Respectfully submitted,

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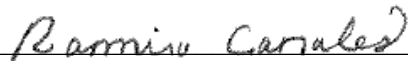


Ramiro Canales
State Bar Card No. 24012377

ATTORNEYS FOR THE COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been sent for service on James Christopher Pittman, c/o Daniel P. Garrigan, 3811 Turtle Creek Blvd., Ste. 175, Dallas, Texas 75219, via email to dgarrigan@garriganlaw.com on this 3rd day of June, 2026.



Ramiro Canales