

THE BOARD OF DISCIPLINARY APPEALS
appointed by
THE SUPREME COURT OF TEXAS

IN THE MATTER OF	§	
JAMES E. PORTER	§	CAUSE NO. 31999
STATE BAR CARD NO. 16149100	§	

JUDGMENT OF INDEFINITE DISABILITY SUSPENSION

On this day the Agreed Finding by the District Disability Committee that Respondent, **JAMES E. PORTER**, suffers from a Disability as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE, was presented to the Board of Disciplinary Appeals. As set forth in the attached Agreed Finding, which is incorporated herein by reference as if set out in full, the parties agreed that and the District Disability Committee found that Respondent does suffer from a Disability as defined in the TEXAS RULES OF DISCIPLINARY PROCEDURE.

IT IS, THEREFORE, **ORDERED, ADJUDGED, AND DECREED**, pursuant to TEXAS RULES OF DISCIPLINARY PROCEDURE Part XII, that Respondent **JAMES E. PORTER**, State Bar Card No. 16149100, 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, **JAMES E. PORTER**, is hereby prohibited during said suspension from practicing law in Texas, holding himself out as an attorney at law, performing any legal service 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, **JAMES E. PORTER**, 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 Office of the Chief Disciplinary Counsel of the State Bar of Texas.

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 which 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 is further **ORDERED** to file with this Board, within the same thirty (30) days, an affidavit stating that all current clients 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 said affidavit

and copies of all notification letters to clients, to the Office of the Chief Disciplinary Counsel of the State Bar of Texas.

It is further **ORDERED** that Respondent immediately surrender his Texas law license and permanent State Bar Card to the Office of the Chief Disciplinary Counsel, State Bar of Texas, for transmittal to the Clerk of the Supreme Court of Texas.

Signed this 12th day of January 2005.


CHAIRMAN PRESIDING

THE BOARD OF DISCIPLINARY APPEALS
appointed by
THE SUPREME COURT OF TEXAS
DISTRICT DISABILITY COMMITTEE
DALLAS TEXAS

IN THE MATTER OF
JAMES E. PORTER
STATE BAR CARD NO. 16149100

§
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§

CAUSE NO. 31999

AGREED FINDING OF DISABILITY

On the 10th day of January 2005, the above-styled and numbered disability matter was called for hearing before the District Disability Committee of the Board of Disciplinary Appeals. Petitioner, the Commission for Lawyer Discipline of the State Bar of Texas, through its attorney the Chief Disciplinary Counsel, appeared and announced ready. Respondent, James E. Porter, appeared in person and with counsel and announced ready. The parties presented a joint motion for a finding of disability.

The parties agreed that the Respondent James E. Porter suffers from a Disability as defined in Rule 1.06(I) of the TEXAS RULES OF DISCIPLINARY PROCEDURE and that the Board of Disciplinary Appeals should indefinitely suspend him from the practice of law. The District Disability Committee received evidence that Respondent is competent to make such an agreement.

The DDC hereby finds the following:

- (1) Respondent waives his right to a full hearing before the District Disability Committee appointed by the Board of Disciplinary Appeals in accordance with Rule 12.02 of the TEXAS RULES OF DISCIPLINARY PROCEDURE.
- (2) Respondent and the Commission for Lawyer Discipline agree and stipulate that Respondent suffers from a Disability as defined in Rule 1.06(I) of the TEXAS RULES OF DISCIPLINARY PROCEDURE.

- (3) Respondent is fully competent to waive these rights and enter into these agreements.

THEREFORE, the District Disability Committee of the Board of Disciplinary Appeals FINDS and hereby CERTIFIES to the Board of Disciplinary Appeals that Respondent, James E. Porter, State Bar Card Number 16149100, suffers from a Disability as defined in Rule 1.06(I) of the TEXAS RULES OF DISCIPLINARY PROCEDURE.

SIGNED this 12th day of January 2005.



MICHAEL F. LINZ
CHAIRMAN PRESIDING