

FILED



DEC 28 2021

Board of Disciplinary Appeals

**BEFORE THE DISTRICT 1 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 1-2  
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER  
DISCIPLINE  
Petitioner**

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§  
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§  
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§

**CASE NO. 202000126**

**V.**

**ROY LEE REEVES  
Respondent**

**MOTION FOR REHEARING,  
MOTION TO MODIFY JUDGEMENT,  
AND NOTICE OF APPEAL**

Comes now, ROY LEE REEVES, Respondent, and brings this motion for Rehearing and if it is denied, Respondent would give notice of his appeal.

1. Points at issue in regards to the Motion for Rehearing:
  - A. Respondent was given notice to appear via electronic means before the BODA Evidentiary Panel and due to issues beyond his control was unable to connect. Accordingly, Evidentiary Panel 1-2 issues a finding in abstentia which should be set aside and a new hearing granted.

- i. Respondent attempted to communicate with Counsel for Petitioner via email on November 16, 2021 to express that a family emergency had occurred and the he would not able to appear electronically due to no internet at the location where his family would be located. (Exhibit A)
- ii. Respondent was left with no means or opportunity to file a written motion as Respondent is unaware of any means or method by which a Responding Party can contact, file motions, or communicate with Petitioner outside of the phone and email contacts provided by Counsel for Petitioner. (Exhibit B)
- iii. Respondent was never provided with any guidance, instructions, or information that would permit Respondent to file any pleadings or motions other than by sending the same via U.S. Mail to Counsel for Petitioner. (Exhibit B)
- iv. Respondent reached out and made contact with with three (3) firms who advertise or whose website indicates they are competent to provide representation for Respondent and none of the firms contacted would engage to represent Respondent in this matter. (Exhibit B)

- v. Notwithstanding, Respondent attempted to dial the numbers provided in the notice of hearing at the appropriate time. (Exhibit B)
- vi. The first number dialed by Respondent in an attempt to appear via telephone was unable to connect as dialed. (Exhibit B & C)
- vii. Accordingly, Respondent dialed the second number on the notice of hearing and after only a minute or less was disconnected due to to no fault or effort of Respondent. (Exhibit B & C)
- viii. Thereafter, Respondent dialed the third number on the notice of hearing and after only a minute or less was disconnected due to to no fault or effort of Respondent. (Exhibit B & C)
- ix. Accordingly, Respondent redialed the second number on the notice of hearing and was able to connect and could hear voices whose words were not distinguishable while Respondent made repeated attempts to request if any person or persons on the other end could hear Respondent before being disconnected due to to no fault or effort of Respondent. (Exhibit B & C)

- x. Thereafter, Respondent made his fifth and final attempt to contact and appear for the evidentiary hearing by phone with similar results. (Exhibit B & C)
- B. The Evidentiary Committee ruled that Respondent had defaulted and failed to appear though duly noticed. The Committee then purportedly reviewed the pleadings, took evidence, and reviewed stipulations before hearing argument with respondent in Absentia. The ruling in absentia and the informal process effectively denied Respondent due process.
- i. Respondent attempted to communicate the existence of a family emergency to Counsel for Petitioner. This was the only means of which Respondent had to communicate with any person, party, or the panel.
  - ii. It is unknown if this fact was made known to the Panel and if it was withheld the Panel was deprived of the ability to request on their own motion a reset.
  - iii. The failure of Respondent to appear was not due to callous indifference or disregard, rather it was the result of technological constraints beyond Respondent's control.

- iv. Notwithstanding, Respondent made several attempts to reach the panel via telephone which attempts were not successful. Telephonic hearing is not adequate in many ways, much as electronic appearances are not as adequate as in person hearings.
- C. The Evidentiary Panel reached the wrong result. The Panel handed down a three year suspension, albeit 30 months of that suspension is probated. Such draconian punishment for what amounts to a minor infraction is a violation of the 6th and 8th Amendments of the United States Constitution as well as Art. 1 Sec 13 of the Constitution of Texas.
- i. Respondent stands accused of failing to timely answer a grievance complaint that was ultimately found not true.
  - ii. Even if it is shown that Respondent did fail to respond to the grievance, the act itself had no affect whatsoever on any person or party. The punishment dealt amounts to the taking of Respondent's property without just cause and serves no purpose other than to punish for the sake of showing that the Attorney representing the Petitioner has the power to flex.



2. Respondent incorporates the foregoing and respectfully moves the panel to modify judgment and support there I would respectfully show:

A. The Evidentiary Panel reached the wrong result.

B. The Panel handed down an excessive punishment which violates the 6th and 8th Amendments of the United States Constitution as well as Art. 1 Sec 13 of the Constitution of Texas.

i. Respondent stands accused of failing to timely answer a grievance complaint that was ultimately found not true.

ii. Even if it is shown that Respondent did fail to respond to the grievance, the act itself had no affect whatsoever on any person or party.

ii. The issued is excessive and unwarranted. The purpose of suspension is to punish neglect by a lawyer and to protect the public. In the instant case, assuming all facts alleged are true, neither the public nor any client of Respondent has been injured or affected by the alleged act. Therefore suspension serves no purpose and violates the tenants of equity and justice.

C. Respondent would respectfully show a private reprimand is an appropriate punishment, if Respondent is found guilty of the acts alleged. The act alleged is one privately existing between Respondent-Attorney and the State Bar of Texas therefore a private reprimand would be the most appropriate punishment if any.

3. Subject to and without waiving the foregoing ROY LEE REEVES, Respondent, gives notice pursuant to Texas Rule of Disciplinary Procedure 2.24 and Board rule 4 that Respondent, ROY LEE REEVES hereby appeals to the Board of Disciplinary Appeals from the Judgement of Suspension of License to Practice Law issued by the Evidentiary Panel 1-2, signed on November 19, 2021 and the denial of his post-judgment motion for new trial and motion to modify the Judgement.

Respectfully submitted:




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Roy L. Reeves, Pro Se  
4433 Atlanta Drive  
Plano, Texas 75093  
972-596-4000  
Roy@ReevesPC.com

**Certificate of service**

I certify that on December 17, 2021 a true and correct copy of the original of this instrument was served upon all counsel of record in a manner provided by Texas Rule of Civil Procedure 21.



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Roy L. Reeves, Pro Se



**From:** Roy@reevespc.com Roy@ReevesPC.com  
**Subject:** Re: REVISED ZOOM INVITE: 11/17/2021 SBOT Evidentiary Hearing @ 10 a.m. (Case No. 202000126; CFLD v. Reeves)  
**Date:** November 16, 2021 at 8:40 AM  
**To:** Cassidy Revelo Cassidy.Revelo@TEXASBAR.COM  
**Cc:** Laurie Guerra Laurie.Guerra@TEXASBAR.COM



I have a family emergency and have to go to Arkansas. Can we reschedule this? I will not have reliable internet or cell signal.

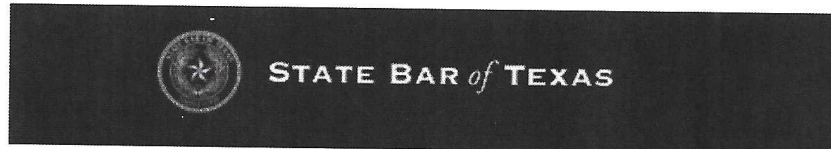
Roy L. Reeves, Esq.  
Reeves Law Firm, PC  
1400 Gables Court  
Plano, Texas 75075  
972-596-4000  
Roy@ReevesPC.com

On Nov 10, 2021, at 3:11 PM, Cassidy Revelo <Cassidy.Revelo@TEXASBAR.COM> wrote:

Mr. Reeves:

Please disregard my last Zoom invite and use this one instead. Thank you.

Cassidy Revelo  
SBOT Legal Assistant



**Please read the attached guidelines before joining the hearing.**

Greetings, Mr. Reeves:

The State Bar of Texas is inviting you to a Zoom hearing.

Hearing Date/Time: Wednesday, November 17, 2021, at 10:00 a.m. (Central Time – U.S./Canada)

### Join Meeting

Hearing URL: [https://texasbar.zoom.us/j/86151166496?  
pwd=VndGMGkvZGlicFZ0R0d0aHdQTHlWQT09](https://texasbar.zoom.us/j/86151166496?pwd=VndGMGkvZGlicFZ0R0d0aHdQTHlWQT09)  
Hearing ID: 861 5116 6496  
Password: 492455

### **Telephone Audio or Audio-Only**

Dial: US: +1 346 248 7799 or +1 253 215 8782 or +1 669 900 6833 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)  
Hearing ID: 861 5116 6496  
Phone one-tap: US: [+13462487799](tel:+13462487799), [+12532158782](tel:+12532158782), [+16699006833](tel:+16699006833), [+13126266799](tel:+13126266799), [+16465588656](tel:+16465588656), [+13017158592](tel:+13017158592), [+18778535247](tel:+18778535247), [+18887880099](tel:+18887880099)  
Password: 492455

International numbers

### **About the Videoconference:**

You may join the video conference from your computer even if you do not have a webcam. To

*Exhibit A*

be heard in the conference, you must either have a microphone and choose computer audio, or you must call the designated audio conference bridge.

**Quick Tips:**

- Mute your microphone/webcam at any time using the buttons in the lower left.
- Choose "Gallery View" from the upper right for a grid view of all the participants.
- Toggle between "full screen" mode and "window" mode in the upper right.
- If your webcam faces a window or bright light, you may be difficult to see.
- To make one participant's video window the largest, click the "... " in the upper right of their window and choose "pin video".

**BEFORE THE DISTRICT 1 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 1-2  
STATE BAR OF TEXAS**

<b>COMMISSION FOR LAWYER</b>	§	
<b>DISCIPLINE</b>	§	
<b>Petitioner</b>	§	<b>CASE NO. 202000126</b>
	§	
<b>V.</b>	§	
	§	
<b>ROY LEE REEVES</b>	§	
<b>Respondent</b>	§	

**STATE OF TEXAS** §

**COUNTY OF COLLIN** §

**SWORN DECLARATION**

My name is Roy L. Reeves. I am of sound mind and have personal knowledge of the facts stated herein and such facts are true.

I have read the facts and allegations set out in the attached Motion for Rehearing, Motion to Modify Judgement and Notice of Appeal. The facts and allegations set out therein are true and correct.

Furthermore, I have reviewed the Exhibit attached as Exhibit B to the Motion which is a true and correct screen shot of my cell phone taken on November 17, 2021 showing my attempts to call and appear without success. The reason I was not present via electronic means is that I did not have access to the internet that date. Due to an emergency in the family, I was in Arkansas on November 17, 2021 and in particular I was in rural Arkansas.

By way of explanation I was physically located on November 17, 2021 west of the community of Alread, Arkansas which, as you may note from the google map attached as Exhibit B-1, is as close to "no where" as a person can get. The nearest internet of any reliability would be in the town of Clinton which is home to approximately 2700 people and more than 25 miles distant. There are about 4 places in the area where a cell signal can be obtained, locals jokingly call these locations "phone booths". Fortunately, one of them is located on the property, though this particular location requires an ATV or at least 30 minutes walking to find.

I made multiple attempts to call and appear by phone and I did not leave to fate. I went to the "phone booth" where Anchor Road touches AR-16. When I was not able to obtain a viable signal to call, I then drove to the next best location near Alread School where I made not less than six attempts to connect and appear by telephone without success. (Exhibit B)

My name is Roy L. Reeves. My date of birth is Feb. 09, 1967, and my address is 4433 Atlanta Drive, Plano, Texas and I declare under penalty of perjury that the foregoing is true and correct.



ROY L. REEVES

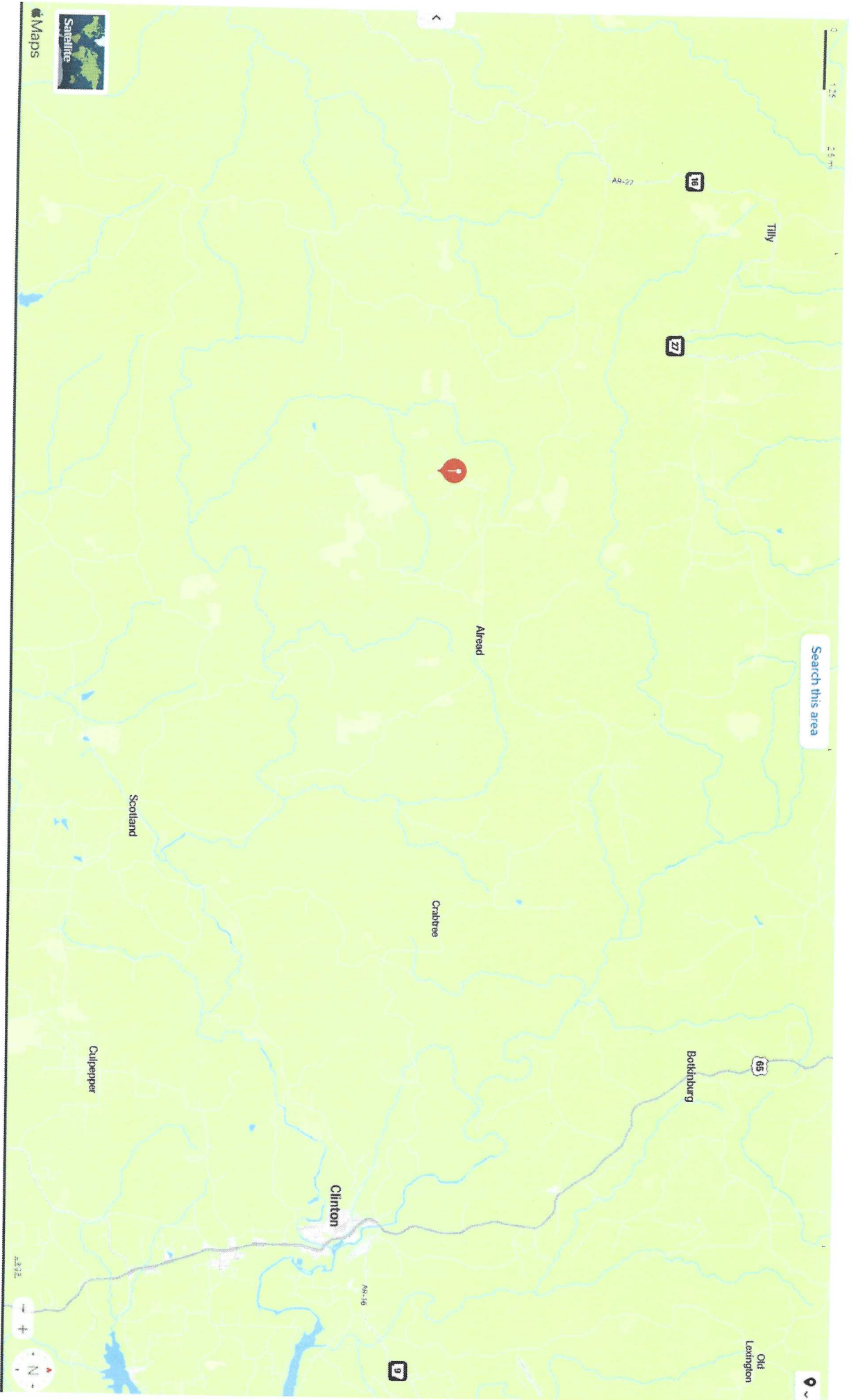


Exhibit B-1



All Missed

Edit

# Recents









- 
**(669) 900-6833**  
 Milpitas, CA  
 10:15 AM ⓘ
- 
**(699) 900-6833**  
 unknown  
 10:15 AM ⓘ
- 
**(253) 215-8782 (3)**  
 Roy, WA  
 10:14 AM ⓘ
- 
**(346) 248-7779**  
 Pinehurst, TX  
 10:11 AM ⓘ
- 
**+1 (469) 949-1497**  
 Dallas, TX  
 10:01 AM ⓘ
- 
**John Mezell**  
 work  
 Yesterday ⓘ
- 
**Brenda Cottrell**  
 mobile  
 Monday ⓘ
- 
**+1 (870) 314-9... (2)**  
 El Dorado, AR  
 Saturday ⓘ

Exhibit C

**From:** Roy@reevespc.com Roy@ReevesPC.com  
**Subject:** Re: 202000126, CFLD v. Roy L. Reeves (Complainant: Andrew Davis)  
**Date:** September 29, 2021 at 8:33 PM  
**To:** Laurie Guerra Laurie.Guerra@TEXASBAR.COM



I do not know the process. Why don't we start with "what is your offer?" Or suggestion?

Roy L. Reeves, Esq.  
Reeves Law Firm, PC  
1400 Gables Court  
Plano, Texas 75075  
972-596-4000  
[Roy@ReevesPC.com](mailto:Roy@ReevesPC.com)

On Sep 20, 2021, at 2:44 PM, Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)> wrote:

Mr. Reeves,

In an effort to try and possibly reach an Agreed Judgment regarding the grievance involving Complainant, Andrew Davis, would you like to make any offer of settlement for the CFLD's consideration?

If you would like to make any recommendation in this case, please let me know as soon as you can.

If you have questions, please let me know.

Sincerely,

*Laurie Guerra*  
Assistant Disciplinary Counsel  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office  
972-383-2935-Fax  
[laurie.guerra@texasbar.com](mailto:laurie.guerra@texasbar.com)

**Important:** This message and any attached documents are intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law, and is intended for the lawful use of the individual or entity named above only. If the reader of this message is not the intended recipient, you are notified that any dissemination, distribution, or copying of this message and any attached documents is strictly prohibited. If you have received this message in error, please immediately notify us by return e-mail and destroy the original message. Thank you for your cooperation.

Please visit the State Bar of Texas' coronavirus information page at [texasbar.com/coronavirus](https://texasbar.com/coronavirus) for timely resources and updates on bar-related events.

Exhibit D