

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

IN THE MATTER OF	§	
DAMON DEAN ROBERTSON,	§	CAUSE NO. <u>54411</u>
STATE BAR CARD NO. 24005285	§	

AGREED JUDGMENT OF SUSPENSION

On the 21 day of July 2014, the above-styled and numbered compulsory 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, Damon Dean Robertson, State Bar Card Number 24005285, is licensed and authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about July 18, 2013, Respondent, was charged by Indictment with Count 1 – Transportation of Marijuana for Sale, in violation of A.R.S. §13-3405(A)(4), 13-3401, 13-701, 13-702 and 13-801, in Superior Court No. CR2013-00571, styled *State of Arizona, Plaintiff, v. Damon Dean Robertson, Defendant*, in the Superior Court of the State of Arizona in and for the County of Coconino.
- (3) On or about December 6, 2013, a Plea Agreement was entered in Superior Court No. CR 2013-0571, styled *State of Arizona, Plaintiff, v. Damon Dean Robertson, Defendant*, in the Superior Court of the State of Arizona in and for the County of Coconino, wherein Respondent agreed to plead guilty to Count 1 of the Indictment, Possession of Marijuana for Sale.

- (4) On or about December 10, 2013, a Minute Entry was entered in Case No. CR 2013-00571, styled *The State of Arizona, Plaintiff, v. Damon Dean Robertson, Defendant*, in the Superior Court of the State of Arizona in and for the County of Coconino, wherein Respondent pled guilty to Count 1 (Amended) – Possession of Marijuana for Sale and was placed on Standard Probation for a term of two (2) years, Ordered to complete one hundred (100) hours of approved community service at the direction of the Adult Probation Department, and Ordered to pay a fine in the amount of \$3,160.00.
- (5) Respondent, Damon Dean Robertson, is the same person as the Damon Dean Robertson who is the subject of the Minute Entry described above.

Conclusions of Law. Based upon the foregoing findings of fact the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G).
- (2) Respondent, Damon Dean Robertson, has been convicted for purposes of TRDP 8.04 of an Intentional Crime as defined by TRDP 1.06(T). Such crime is as well a Serious Crime as defined by TRDP 1.06(Z).
- (3) Respondent, Damon Dean Robertson, should be suspended for the term of his criminal probation as originally assessed and, in the event that the above-described criminal probation of Respondent, Damon Dean Robertson, is revoked, Respondent, Damon Dean Robertson, should be disbarred. TRDP 8.06.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Damon Dean Robertson, State Bar Card No. 24005285, be and he is hereby SUSPENDED from the practice of law in the State of Texas and his license to practice law in the State of Texas for a period beginning effective the date of entry of this judgment and ending December 5, 2015.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Damon Dean Robertson, during said suspension is prohibited 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, appearing as counsel or in any representative capacity 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, Damon Dean Robertson, not later than thirty (30) days from the date of this Order, shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent, Damon Dean Robertson, 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 Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Damon Dean Robertson, shall immediately notify each of his current clients and opposing counsel, 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 and opposing counsel 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, Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that Respondent, Damon Dean Robertson, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further ORDERED that, in the event that the above-described criminal probation of Respondent, Damon Dean Robertson, is revoked, Respondent, Damon Dean Robertson, shall be DISBARRED upon the filing by the Chief Disciplinary Counsel of an appropriate motion supported by certified copies of court documents showing that such criminal probation has been revoked.

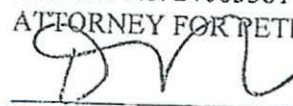
It is further ORDERED that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Judgment, be sent to the Office of the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 21 day of July 2014.


Chair Presiding
BOARD OF DISCIPLINARY APPEALS

APPROVED AS TO FORM:

Rebecca (Beth) Stevens
Assistant Disciplinary Counsel
State Bar No. 24065381
ATTORNEY FOR PETITIONER



Damon Dean Robertson
State Bar No. 24005285
RESPONDENT

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It is further ORDERED that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Judgment, be sent to the Office of the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this ____ day of _____ 2014.

Chair Presiding
BOARD OF DISCIPLINARY APPEALS

APPROVED AS TO FORM:

Rebecca Stevens

Rebecca (Beth) Stevens
Assistant Disciplinary Counsel
State Bar No. 24065381
ATTORNEY FOR PETITIONER

Damon Dean Robertson
State Bar No. 24005285
RESPONDENT