

No.

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**BEFORE THE BOARD OF DISCIPLINARY APPEALS  
AUSTIN, TEXAS**

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**JERRY SCARBROUGH, Appellant  
v.  
EVIDENTIARY PANEL FOR THE STATE BAR DISTRICT  
NO. 08-5 STATE BAR OF TEXAS  
Appellee**

**APPELLANT'S MOTION FOR EMERGENCY HEARING EN BANC**

**COMES NOW**, Jerry Scarbrough, Respondent, and moves BODA to schedule an emergency hearing on his application for writ of mandamus, and for cause would show the Board the following:

1. Jerry Scarbrough's right to practice law in this state has been suspended by a grievance panel of the State Bar of Texas.
2. His suspension began on May 1, 2015, and will continue for two years.
3. He timely filed an appeal of the Judgment.
4. He is entitled to a stay of the suspension under the Texas Rules of Disciplinary 2.25.
5. He timely filed a motion to stay the suspension.
6. At the hearing on his Motion to Stay, he clearly established that the Panel could have reasonably reached only one decision, and that it should have granted his motion to stay the suspension.
7. The panel denied his Motion to stay the suspension by order entered July 7, 2015.
8. The decision to deny the motion to stay was arbitrary and unreasonable.

9. Jerry Scarbrough's right to appeal the suspension will not remedy his immediate right to have the suspension stayed until a final decision is made in the underlying case.

**PRAYER**

**WHEREFORE PREMISES CONSIDERED,** Jerry Scarbrough respectfully prays that the board set this matter immediately for a hearing En Banc.

Respectfully submitted,

By: 

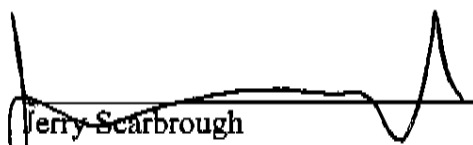
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 11<sup>th</sup> day of September 2015 a true and correct copy of the foregoing document was served, as indicated below, on the following:

**VIA FACSIMILE: 1.512.427.4167**

Rebecca (Beth) Stevens, Esq.  
Office of the Chief Disciplinary Counsel  
STATE BAR OF TEXAS  
P.O. Box 12487  
Austin, Texas 78711-2487

  
Jerry Scarbrough