

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

IN THE MATTER OF	§	
WADE VINCENT SHANG	§	CAUSE NO. 35960
STATE BAR CARD NO. 00789029	§	

JUDGMENT OF DISBARMENT

On the 20th day of January 2006, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline of the State Bar of Texas appeared by attorney and announced ready. Respondent, Wade Vincent Shang, although duly cited and notified of the hearing and having appeared in the cause, failed to answer or appear and wholly made default. All issues of fact as well as all matters of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals 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, Wade Vincent Shang, whose State Bar Card number is 00789029, is currently licensed by the Supreme Court of Texas but not authorized to practice law.
- (2) In August 2002, Respondent, Wade Vincent Shang, was indicted on five counts of Tax Evasion, in violation of Title 26, United States Code, Section 7201, in Cause No. CR-02-0239-01 WHA, styled *United States of America v. Wade Vincent Shang*, in the United States District Court for the Northern District of California San Francisco Division, (hereinafter called the "Shang" criminal case).
- (3) On or about May 2, 2005, a judgment was signed in the Shang criminal case finding the Respondent guilty on counts Two and Four of the Indictment for Tax Evasion.

- (4) On or about May 10, 2005, an Amended Judgment in a Criminal Case (Re-Sentencing) was signed in the Shang criminal case finding the Respondent guilty of Tax Evasion on counts Two and Four of the Indictment. Respondent was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 21 months. Upon release from imprisonment, the Respondent shall be on supervised release for a term of three (3) years. Respondent was also ordered to pay a fine in the amount of \$10,000.00 and to pay an assessment of \$200.00.
- (5) On May 20, 2005, Respondent petitioned the criminal court to vacate all convictions pursuant to 28 U.S.C. 2255. On January 9, 2006, Judge William Alsup signed an Order Denying Motion to Vacate, Correct or Set Aside the Sentence in the Shang criminal case.
- (6) On December 2, 2005, the United States Court of Appeals for the 9th Circuit issued a Mandate in Respondent's appeal.
- (7) Respondent, Wade Vincent Shang is the same person as Wade Vincent Shang, who is the subject of Shang criminal case described above.
- (8) Respondent was personally served with a copy of the Petition for Compulsory Discipline on September 2, 2005 as shown in the Proof of Service filed with the Board on September 12, 2005.
- (9) On September 15, 2005, Respondent filed his first motion for continuance in the matter, thereby entering an appearance in the case.
- (10) Respondent filed a second motion for continuance on January 11, 2005, but has not otherwise answered or filed any responsive pleading in the matter.

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. Rule 7.08(G), Texas Rules of Disciplinary Procedure ("TRDP").
- (2) Respondent, Wade Vincent Shang, having been found guilty of and sentenced for Tax Evasion under 26 U.S.C. §7201 has been convicted for purposes of TRDP Part VIII of an Intentional Crime as defined by TRDP 1.06T. Said crime is also a Serious Crime as defined by TRDP 1.06Z. *In re Humphreys*, 880 S.W.2d 402 (Tex. 1994).
- (3) The criminal conviction is final.

(4) The sentence in the criminal is not fully probated.

(5) TRDP 8.05 requires that Respondent, Wade Vincent Shang be disbarred.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Wade Vincent Shang, State Bar Card No. 00789029, be and hereby is **DISBARRED** from the practice of law in the State of Texas, and his license to practice law in this state be and hereby is **REVOKED**.

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Wade Vincent Shang, is hereafter permanently prohibited, effective immediately, 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, Wade Vincent Shang, no later than thirty (30) days from the date of this judgment, 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 has any legal matter pending of his disbarment, 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, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent, Wade Vincent Shang, shall immediately notify each of his current clients, if any, in writing, of his disbarment. Respondent is further **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 of this judgment. 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 disbarment 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, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent, Wade Vincent Shang, immediately surrender his Texas law license and permanent State Bar Card to the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

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 Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 20 day of January, 2006.



CHAIRMAN PRESIDING