

It is further ORDERED that this Order is interlocutory and that the Board retains jurisdiction to enter a final judgment when the appeal of the criminal conviction is final. TRDP 8.04 & 8.05; *In the Matter of Mercier*, 242 SW 3d 46 (Tex. 2007).

3. Following the appeal by Respondent of his criminal conviction in Case No. 8:11-cr-366-T-30TBM, on the charge of Conspiracy to Commit Wire Fraud, an Opinion (Exhibit A) was issued by the United States Court of Appeals for the Eleventh Circuit, on or about July 24, 2013, in Cause No. 12-14238, District Court Docket No. 8:11-cr-00366-JSM-TBM-1, *United States of America, Plaintiff – Appellee versus Roger Lee Shoss, Defendant - Appellant*, which affirmed the judgment issued by the District Court.

4. On or about August 26, 2013, a Mandate (Exhibit B) was issued by the United States Court of Appeals for the Eleventh Circuit, in Cause No. 12-14238, District Court Docket No. 8:11-cr-00366-JSM-TBM-1, *United States of America, Plaintiff – Appellee versus Roger Lee Shoss, Defendant – Appellant*. True and correct copies of the Opinion issued on or about July 24, 2013, and the Mandate issued on or about August 26, 2013, by the United States Court of Appeals for the Eleventh Circuit, are attached hereto as Exhibits A and B, and made a part hereof for all intents and purposes as if the same were copied verbatim herein. Petitioner expects to introduce certified copies of Exhibits A and B at the time of hearing of this cause.

5. Petitioner represents to the Board that the Judgment entered against Respondent, Roger Lee Shoss, has now become final. Petitioner seeks the entry of a judgment of disbarment. Attached hereto as Exhibit C is a true and correct copy of the form of judgment of which Petitioner seeks the entry herein.


PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays, upon notice to Respondent, that the Board enter its order disbarring Respondent and for such other and further relief to which Petitioner may be entitled.

Respectfully submitted,

Linda A. Acevedo
Chief Disciplinary Counsel

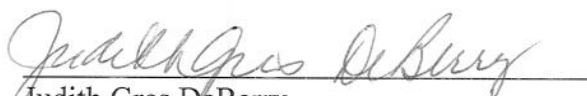
Judith Gres DeBerry
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas
P.O. Box 12487
Austin, Texas 78711
Telephone: 512.427.1350
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Judith Gres DeBerry
Bar Card No. 24040780
ATTORNEYS FOR PETITIONER

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a trial on the merits of the Motion for Entry of Judgment of Disbarment heretofore sent to be filed with the Board of Disciplinary Appeals on this day, will be held in the courtroom of the Supreme Court of Texas, Tom C. Clark Building, 14th and Colorado Streets, Austin, Texas, at **9:00 a.m. on the 31st day of January 2014.**



Judith Gres DeBerry

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 12-14238
Non-Argument Calendar

D.C. Docket No. 8:11-cr-00366-JSM-TBM-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROGER LEE SHOSS,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(July 24, 2013)

Before MARCUS, PRYOR and MARTIN, Circuit Judges.

PER CURIAM:

Roger Shoss appeals his conviction for conspiracy to commit wire fraud under 18 U.S.C. § 371 arguing (1) that venue was improper in the Middle District

Exhibit

A

of Florida, where the trial was held, and (2) that the indictment failed to charge an offense constituting a crime.

I. Background

Shoss was charged and convicted of conspiring with co-defendant Nicolette Loisel and others to steal and misappropriate the identities, histories and shareholder bases of publicly traded, dormant companies so that shares of stock in companies with no underlying business and mere puppet presidents could be sold. The conspirators used online applications, faxes, wires and e-mail to carry out their scheme.

Typically, the scheme started by identifying a company that was no longer in good standing in its state of incorporation, say Delaware, often for failing to pay taxes, but that still had an active Committee on the Uniform Securities Identification Procedure (CUSIP) number and ticker symbol on the NASDAQ stock exchange. Then, one of the conspirators would request to incorporate a new company with the same name in the same state. The new company would then change its name. The conspirators would then apply online for a new CUSIP number and to suspend the old CUSIP number based on the name change, explaining that the company had been publicly traded on the NASDAQ exchange under the old name. Armed with the new CUSIP number, documentation that showed amendments to the articles of incorporation authorizing a new stock split,

and other fraudulent verification documentation,¹ the conspirators would approach the NASDAQ requesting to change the company's ticker symbol. After obtaining a new ticker symbol, the conspirators would print stock certificates using the new CUSIP number but also information about the old company. Finally, through others, shares in these shell companies would be sold to unknowing British investors, with the sale proceeds being deposited in an escrow account in Pinellas County, Florida. Money from that escrow account in Florida would then be wired back to Shoss in Texas.

II. Venue

On appeal, Shoss argues that the district court erred in denying his motion to dismiss the indictment for improper venue in the Middle District of Florida and, in the alternative, to transfer the proceeding to the Southern District of Texas. He contends that the conspiracy for which he was charged involved twenty overt acts, none of which occurred in the Middle District of Florida, and that the conspiracy had terminated prior to the acts taking place in Florida. Shoss also argues that the Southern District of Texas was an appropriate forum because all of the overt acts involved wires to or from Houston, where Shoss resided and could obtain optimal medical care for what he characterizes as a neurological condition.

¹ In some cases, Shoss would sign all of the incorporation documents, but at least with respect to one of the shell companies, the conspirators enlisted Preston Valentine in Florida to serve as the nominal president and sign an array of verification documents.

We review de novo a district court's denial of a motion to dismiss an indictment for improper venue. United States v. Muench, 153 F.3d 1298, 1300 (11th Cir. 1998).

“[V]enue is an essential element of the government's proof at trial.” United States v. Snipes, 611 F.3d 855, 865 (11th Cir. 2010). The Sixth Amendment requires that criminal trials be held before “an impartial jury of the State and district wherein the crime shall have been committed.” U.S. Const. amend. VI. The locality of the crime is “determined from the nature of the crime alleged and the location of the act or acts constituting it.” United States v. Cabrales, 524 U.S. 1, 6–7, 118 S. Ct. 1772, 1776 (1998) (quotation marks omitted). “In a conspiracy case, venue is proper in any district where an overt act was committed in furtherance of the conspiracy.” United States v. Smith, 918 F.2d 1551, 1557 (11th Cir. 1990). “[The] overt act may be committed by any conspirator, anyone who aids or abets a conspirator, or anyone a conspirator causes to act.” United States v. Bradley, 644 F.3d 1213, 1255 n.87 (11th Cir. 2011). In order to sufficiently prove venue, the government need only show, by a preponderance of the evidence, that an overt act was committed in the district of prosecution. United States v. Barnes, 681 F.2d 717, 722 (11th Cir. 1982). “In determining whether the prosecution met this burden, the evidence and all reasonable inferences derived therefrom must be viewed in the light most favorable to the government.” Id. Finally, the overt act in

the location of the venue need not be alleged in the indictment, so long as evidence of the act is presented at trial and the defendant is given constitutionally sufficient notice of the charges against him. United States v. Schlei, 122 F.3d 944, 975 n.10 (11th Cir. 1997).

Venue was proper in the Middle District of Florida because co-conspirators Loisel and Shoss committed and/or caused others to commit overt acts in the Middle District of Florida in furtherance of their conspiracy. See Smith, 918 F.2d at 1557. Specifically, by e-mail Loisel directed Valentine, who was working in the Middle District of Florida, to take various actions as “president” of one of the empty-shell companies to create the façade crucial to the conspiracy. See id.; see also United States v. Strickland, 493 F.2d 182, 187 (5th Cir. 1974) (holding that venue was proper both in the district in which a phone call, the overt act, originated and the district where it was received).² Further, Shoss caused money-wire transfers to be made from the escrow account in Pinellas County, Florida to Shoss’s Texas account. See Bradley, 644 F.3d at 1255 n.87. These overt acts, outlined in the indictment as having occurred “in the Middle District of Florida and elsewhere” and presented at trial, were more than sufficient to establish venue in the Middle District of Florida. See Smith, 918 F.2d at 1557. Thus, there was no

² In Bonner v. City of Prichard, we adopted as binding precedent all decisions of the former Fifth Circuit handed down before October 1, 1981. 661 F.2d 1206, 1209 (11th Cir. 1981) (en banc).

error in failing to dismiss the case for improper venue. See Schlei, 122 F.3d at 975 n.10; Barnes, 681 F.2d at 722.

We review a district court's decision regarding change of venue for abuse of discretion. United States v. Langford, 647 F.3d 1309, 1319 (11th Cir. 2011), cert. denied, Langford v. United States, ___ U.S. ___, 132 S. Ct. 1121 (2012). Federal Rule of Criminal Procedure 21(b) permits a district court to transfer venue to any appropriate jurisdiction "for the convenience of the parties, any victim, and the witnesses, and in the interests of justice." Fed. R. Crim. P. 21(b). "A criminal defendant does not have a constitutional right to be tried in the district encompassing his residence." United States v. Kopituk, 690 F.2d 1289, 1322 (11th Cir. 1982). "A transfer of venue is completely within the discretion of the trial court" Smith, 918 F.2d at 1556.

Shoss's motion for change of venue does not justify transfer, as his concern about the cost of his "daily subsistence" while being tried in a district other than his own was of little relevance to the choice of venue. See Kopituk, 690 F.2d at 1322–23. Shoss's explanation of his neurological condition was short and vague, without an affidavit from a doctor giving a specific diagnosis. In any event, other factors weighed in favor of the Florida location, such as witnesses living in the Middle District of Florida. Indeed, no potential witnesses, other than Shoss and Loisel, resided in the Southern District of Texas.

We therefore affirm the district court's denial of Shoss's motion to dismiss for improper venue, and, in the alternative, for a transfer of venue.

III. Failure to State an Offense

Shoss also argues that the district court erred in denying his motion to dismiss the indictment because it did not state an offense. Shoss argues that the ticker symbols and CUSIP numbers Shoss fraudulently acquired were comparable to licenses and, thus, did not qualify as money or property under United States v. Cleveland, 531 U.S. 12, 121 S. Ct. 365 (2000). Based on this, Shoss argues that he did not commit the crime for which he was indicted.

We review de novo the sufficiency of an indictment. United States v. Bobo, 344 F.3d 1076, 1083 (11th Cir. 2003). We have explained that

[a]n indictment is sufficient if it: (1) presents the essential elements of the charged offense, (2) notifies the accused of the charges to be defended against, and (3) enables the accused to rely upon a judgment under the indictment as a bar against double jeopardy for any subsequent prosecution for the same offense.

United States v. Steele, 147 F.3d 1316, 1320 (11th Cir. 1998) (quotation marks omitted).

To prove conspiracy to commit fraud in violation of 18 U.S.C. § 371, the government must demonstrate: “(1) agreement between two or more persons to achieve and unlawful objective; (2) knowing and voluntary participation in that agreement by the defendant; and (3) an overt act in furtherance of the agreement.”

United States v. Broughton, 689 F.3d 1260, 1277 (11th Cir. 2012). Proof of wire fraud, in violation of § 1343, requires evidence that a person “(1) intentionally participat[ed] in a scheme or artifice to defraud another of money or property, and (2) use[d] or caus[ed] the use of . . . wires for the purpose of executing the scheme or artifice.” Bradley, 644 F.3d at 1238 (quotation marks omitted).

The Supreme Court has held that the wire fraud statutes protect only property rights. McNally v. United States, 483 U.S. 350, 358–59, 107 S. Ct. 2875, 2880–81 (1987), superseded by 18 U.S.C. § 1346 (1988).³ Cleveland, upon which Shoss relies, held that municipal-granted licenses do not qualify as property rights because, when fraudulently obtained, the licenses are property-like in the recipient’s hands only, not in the victim’s. 531 U.S. at 15, 121 S. Ct. at 368. Because a state’s core concern in issuing licenses is regulatory, the licensing scheme constitutes an exercise of the state’s police powers, rather than a conveyance of property. Id. at 20–21, 121 S. Ct. at 371–72.

On the record before us, we conclude that Shoss’s indictment alleging conspiracy to commit wire fraud sufficiently presented the essential elements of a violation of 18 U.S.C. § 371. See Steele, 147 F.3d at 1320. The CUSIP numbers and ticker symbols constituted valuable intangible property under 18 U.S.C.

³ The Supreme Court later held that Congress’s enactment of § 1346 allowed a more expansive interpretation of the rights protected by including the intangible right to honest services. Skilling v. United States, 561 U.S. ___, ___, 130 S. Ct. 2896, 2927 (2010).

§ 1343. These corporate identities had discernible monetary value because they simulated companies that were publicly-traded, a status valued for generating investor confidence, and which must usually be obtained through a cumbersome and expensive process. Beyond that, the monetary value of the corporate identities was demonstrated both by Shoss's insistence that the new corporations appear to be publicly-traded and the market demand for shares in the companies that appeared to be traded on NASDAQ. Thus, the unique, identifying information was not like a government-issued license, but, instead, had value in the hands of both the recipient (Shoss) and the victim companies. See Cleveland, 531 U.S. at 15, 121 S. Ct. at 368. Because the identifying information constituted property, the indictment was sufficient to state an offense under § 371. See Bobo, 344 F.3d at 1083; Bradley, 644 F.3d at 1238; Broughton, 689 F.3d at 1277.

Upon consideration of the record and the parties' briefs, we affirm.

AFFIRMED.

A True Copy

Attested:

Clerk, U.S. Court of Appeals, Eleventh Circuit

By: Benjamin H. Kist Date: 11/24/13
Deputy Clerk

Atlanta, Ga.

(10 of 10)

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

John Ley
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

July 24, 2013

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 12-14238-AA
Case Style: USA v. Roger Shoss
District Court Docket No: 8:11-cr-00366-JSM-TBM-1

This Court requires all counsel to file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause. Enclosed is a copy of the court's decision filed today in this appeal. Judgment has this day been entered pursuant to FRAP 36. The court's mandate will issue at a later date in accordance with FRAP 41(b).

The time for filing a petition for rehearing is governed by 11th Cir. R. 40-3, and the time for filing a petition for rehearing en banc is governed by 11th Cir. R. 35-2. Except as otherwise provided by FRAP 25(a) for inmate filings, a petition for rehearing or for rehearing en banc is timely only if received in the clerk's office within the time specified in the rules. Costs are governed by FRAP 39 and 11th Cir.R. 39-1. The timing, format, and content of a motion for attorney's fees and an objection thereto is governed by 11th Cir. R. 39-2 and 39-3.

Please note that a petition for rehearing en banc must include in the Certificate of Interested Persons a complete list of all persons and entities listed on all certificates previously filed by any party in the appeal. See 11th Cir. R. 26.1-1. In addition, a copy of the opinion sought to be reheard must be included in any petition for rehearing or petition for rehearing en banc. See 11th Cir. R. 35-5(k) and 40-1 .

Counsel appointed under the CRIMINAL JUSTICE ACT must file a CJA voucher claiming compensation for time spent on the appeal no later than 60 days after either issuance of mandate or filing with the U.S. Supreme Court of a petition for a writ of certiorari (whichever is later).

For questions concerning the issuance of the decision of this court, please call the number referenced in the signature block below. For all other questions, please call Eleanor M. Dixon, AA at (404) 335-6172.

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Djuanna Clark
Phone #: 404-335-6161

OPIN-1 Ntc of Issuance of Opinion

(1 of 2)

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

John Ley
Clerk of Court

August 26, 2013

For rules and forms visit
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Sheryl L. Loesch
U.S. District Court
801 N FLORIDA AVE
TAMPA, FL 33602-3849

Appeal Number: 12-14238-AA
Case Style: USA v. Roger Shoss
District Court Docket No: 8:11-cr-00366-JSM-TBM-1

The enclosed judgment is hereby issued as the mandate of this court.

The record on appeal will be returned to you at a later date.

A copy of this letter, and the judgment form if noted above, but not a copy of the court's decision, is also being forwarded to counsel and pro se parties. A copy of the court's decision was previously forwarded to counsel and pro se parties on the date it was issued.

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Eleanor Dixon/jsc
Phone #: (404) 335-6172

Enclosure(s)

MDT-1 Letter Issuing Mandate

Exhibit

B

(2 of 2)

UNITED STATES COURT OF APPEALS
For the Eleventh Circuit

No. 12-14238

District Court Docket No.
8:11-cr-00366-JSM-TBM-1

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ROGER LEE SHOSS,

Defendant - Appellant.

Appeal from the United States District Court for the
Middle District of Florida

JUDGMENT

It is hereby ordered, adjudged, and decreed that the opinion issued on this date in this appeal is entered as the judgment of this Court.

Entered: July 24, 2013
For the Court: John Ley, Clerk of Court
By: Djuanna Clark

A True Copy
Attested:
Clerk, U.S. Court of Appeals, Eleventh Circuit

By: Baronnie H. Scott Date: 11/04/13
Deputy Clerk
Atlanta, Ga.

Issued as Mandate:
August 26, 2013

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

**IN THE MATTER OF
ROGER LEE SHOSS
STATE BAR CARD NO. 18304000**

§
§
§

CAUSE NO. 51567

JUDGMENT OF DISBARMENT

On the 31st day of January 2014, the Board of Disciplinary Appeals considered the Motion for Entry of Judgment of Disbarment filed in the above case by Petitioner, Commission for Lawyer Discipline of the State Bar of Texas, against Respondent, Roger Lee Shoss. The Board finds that:

- (1) It has continuing jurisdiction of this matter pursuant to Texas Rule of Disciplinary Procedure 8.05 ("TRDP").
- (2) The United States Court of Appeals for the Eleventh Circuit affirmed Respondent, Roger Lee Shoss's, criminal conviction and issued its Mandate indicating that the decision was final on or about August 26, 2013.
- (3) Petitioner filed its Motion for Entry of Judgment of Disbarment on or about November 19, 2013, and served same on Respondent in accordance with TRDP 8.05.
- (4) Respondent's conviction for the commission of an Intentional Crime as defined by TRDP 1.06(T), for which he was sentenced in the United States District Court for the Middle District of Florida, Tampa Division, has become final and is not subject to appeal.
- (5) Petitioner's Motion for Entry of Judgment of Disbarment should be granted.

Interlocutory Suspension

Following a hearing on the 1st day of February 2013, at which Petitioner Commission for Lawyer Discipline of the State Bar of Texas appeared by attorney and announced ready and Respondent, Roger Lee Shoss, although duly cited to appear and having been given notice of the

hearing, failed to answer or appear and wholly made default, the Board of Disciplinary Appeals entered an Interlocutory Order of Suspension on or about February 4, 2013, which included the following findings of fact and conclusions of law:

- (1) Respondent, Roger Lee Shoss, whose State Bar Card number is 18304000, is licensed and authorized by the Supreme Court of Texas to practice law in the State of Texas.
- (2) On or about July 13, 2011, Respondent was charged by with Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. § 371 in Case No. 8:11-cr-366-T-30TBM, styled *United States of America v. Roger Lee Shoss, Nicolette Loisel*, in the United States District Court for the Middle District of Florida, Tampa Division.
- (3) On or about August 9, 2012, a Judgment in a Criminal Case was entered in Case No. 8:11-cr-366-T-30TBM, styled *United States of America v. Roger Lee Shoss*, in the United States District Court for the Middle District of Florida, Tampa Division, wherein Respondent was found guilty of Conspiracy to Commit Wire Fraud and was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of eighteen (18) months. Respondent was ordered upon release from imprisonment to be on supervised release for three (3) years, with the special condition of participating in the Home Detention program for three (3) years, and ordered to pay an assessment of \$100.00.
- (4) Respondent, Roger Lee Shoss, is the same person as the Roger Lee Shoss who is the subject of the criminal case described above.
- (5) Respondent has appealed the criminal conviction.
- (6) Respondent was personally served with the Petition for Compulsory Discipline on December 27, 2012, by a Tarrant County Deputy Constable, and the return and affidavit of service was filed with the Board on January 10, 2013.
- (7) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) ("TRDP").
- (8) Respondent, Roger Lee Shoss, having been convicted of Conspiracy to Commit Wire Fraud, has been convicted of an Intentional Crime as defined by TRDP 1.06(T).

- (9) Respondent has also been convicted of a Serious Crime as defined by TRDP 1.06(Z).
- (10) Having been found guilty and convicted of an Intentional and Serious Crime and having appealed such conviction, Respondent, Roger Lee Shoss, should have his license to practice law in Texas suspended during the appeal of his criminal conviction. TRDP 8.04.
- (11) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final. TRDP 8.04 & 8.05.

Disbarment

The Board has determined that disbarment of the Respondent is appropriate. It is, therefore, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Roger Lee Shoss, State Bar No. 18304000, be and he is hereby DISBARRED from the practice of law in the State of Texas, and his license to practice law in this state be and is hereby revoked.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Roger Lee Shoss, 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, 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, Roger Lee Shoss, not later than thirty (30) days from the date of the entry 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, if any, 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, Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that Respondent, Roger Lee Shoss, shall immediately notify each of his current clients and opposing counsel, if any, in writing, of his disbarment. 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 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, Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that Respondent, Roger Lee Shoss, if he has not already done so, immediately surrender his Texas law license and permanent State Bar Card to the Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, 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 Final Judgment of Disbarment be sent to 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