

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

**IN THE MATTER OF** §  
**STEVE SIMS** § **CAUSE NO. 42613**  
**STATE BAR CARD NO. 18427500** §

**JUDGMENT OF DISBARMENT**

On the 22<sup>nd</sup> day of August 2008, 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 Austin Regional Counsel, Laura Bayouth Poppo, and announced ready. Respondent, Steve Sims, appeared in person and by attorney, Robert C. Hinton, Jr. and announced ready. All issues of fact as well as all questions 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, Steve Sims, State Bar Card Number 18427500, is currently licensed to practice law in the State of Texas.
- (2) On or about May 23, 2008, Respondent was charged by Information with Misapplication of Fiduciary Property Elderly Individual F2 in Cause No. 241-0794-08.
- (3) On May 28, 2008, a Waivers Upon Felony Plea of Guilty to Information with attachments was entered in Case No. 241-0794-08, styled *The State of Texas v. Steven Sims*, in the 241<sup>st</sup> Judicial District Court of Smith County, Texas, wherein Respondent pled guilty to Misapplication of Fiduciary Property.
- (4) On May 28, 2008, an Order of Deferred Adjudication was signed in

Case No. 241-0794-08, styled *The State of Texas v. Steven Sims*, in the 241<sup>st</sup> District Court of Smith County, Texas, wherein Respondent was placed on community supervision for the term of five (5) years, ordered to perform 400 hours of Community Service Restitution, pay restitution of \$60,000.00 plus an amount to be determined, and court costs of \$252.25.

- (5) Respondent, Steve Sims, is same person as the Steven Sims who is the defendant in the criminal case and judgment described above.
- (6) Steve Sims' criminal conduct was directly related to his practice of law.
- (7) Steve Sims testified under oath that he had taken funds from clients in addition to the client in the underlying criminal case for his personal use.
- (8) Steve Sims' criminal sentence was fully probated.
- (9) The criminal conviction is final.

**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. Texas Rules of Disciplinary Procedure 7.08(G) ("TRDP").
- (2) Respondent, Steve Sims, has been convicted for purposes of TRDP 8.04 of an Intentional Crime as defined by TRDP 1.06(T) and of a Serious Crime as defined by TRDP 1.06(Z).
- (3) Respondent, Steve Sims, should be disbarred.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Steve Sims, State Bar Card No. 18427500, 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, Steve Sims, 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 prior to 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."

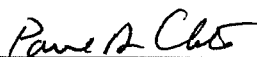
It is further **ORDERED** that Respondent, Steve Sims, not later than thirty (30) days from the date of this judgment, shall notify in writing each and every justice of any court in which Steve Sims has any legal matter pending, if any, of his disbarment, of the style and cause number of the pending 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 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, Steve Sims, shall immediately notify each of his current clients, 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 Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, 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 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, Steve Sims, immediately surrender his Texas law license and permanent 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.

Signed this 26<sup>th</sup> day of August 2008.



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**CHAIR PRESIDING**