

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

IN THE MATTER OF §  
TERRY LYNN SMITH § CAUSE NO. 46778  
STATE BAR CARD NO. 24033207 §

AGREED JUDGMENT OF SUSPENSION

On the 22<sup>nd</sup> day of July, 2010, the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney, Alex Veltman, 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, Terry Lynn Smith, is an attorney who is licensed but not currently authorized to practice law in the State of Texas, and whose Bar Card No. is 24033207;
- (2) On or about September 18, 2008, a Consent Findings and Order was entered before the Supreme Court Committee on Professional Conduct Panel B in a matter styled: *In Re: Terry Lynn Smith*, Arkansas Bar ID #92035, CPC Docket No. 2008-044, that states in pertinent part as follows:

“...WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel B and with the approval of the Arkansas Supreme Court, that TERRY LYNN SMITH, Arkansas Bar ID #92035, be, and hereby is, SUSPENDED FOR THREE YEARS for his conduct in this matter...Further, Mr. Smith must show his good-faith effort to satisfy the \$554,130.55, plus interest, default judgment

against him in favor of Wannell Bradshaw prior to any reinstatement?"

- (3) Respondent, Terry Lynn Smith, is the same person as the Terry Lynn Smith, who is the subject of the Order by the Arkansas Supreme Court Committee on Professional Conduct; and
- (4) The suspension Order from the State of Arkansas Supreme Court Committee on Professional Conduct is final.

Conclusions of Law. Based upon the foregoing findings of facts 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(H), Texas Rules of Disciplinary Procedure;
- (2) Reciprocal discipline identical to that imposed by the State of Arkansas Supreme Court Committee on Professional Conduct is warranted in this case.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be actively suspended from the practice of law for a period of three years beginning August 1, 2010, and ending July 31, 2013.

It is further AGREED and ORDERED that, before the termination of active suspension, Respondent shall show his good-faith effort to satisfy the \$554,130.55, plus interest, default judgment against him in favor of Wannell Bradshaw. Failure to comply with this order subjects Respondent to further disciplinary action under 8.04(a)(7) of the Texas Disciplinary Rules of Professional Conduct.

It is further AGREED and ORDERED that during the term of active suspension ordered herein, Respondent shall be prohibited from practicing law in Texas; holding himself out as an attorney at law; performing any legal services 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 or Federal court or before any administrative body; or holding himself out to others or using his

name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further ORDERED that on or before August 1, 2010, Respondent shall notify each of Respondent's current Texas clients in writing of this suspension.

In addition to such notification, it is further ORDERED Respondent shall return any files, papers, unearned monies and other property belonging to current Texas clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further ORDERED that Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before August 15, 2010, an affidavit stating all current Texas clients have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current Texas clients have been returned as ordered herein.

It is further ORDERED Respondent shall, on or before August 1, 2010, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every Texas court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing.

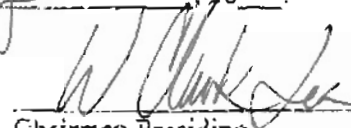
It is further ORDERED Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), on or before August 15, 2010, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every Texas court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is

representing in Court.

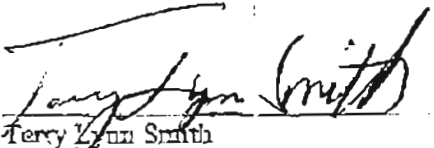
It is further ORDERED that, on or before August 1, 2010, Respondent shall surrender his law license and permanent State Bar Card to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), to be forwarded to the Supreme Court of Texas.

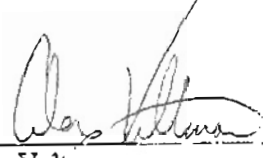
It is further ORDERED that this Agreed Judgment of Suspension shall be made a matter of record and be published in the Texas Bar Journal.

SIGNED this 22<sup>nd</sup> day of July, 2010.

  
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Chairman Presiding  
Board of Disciplinary Appeals

**AGREED AS TO BOTH FORM AND SUBSTANCE:**

  
\_\_\_\_\_  
Terry Lynn Smith  
State Bar No. 24033207  
Respondent

  
\_\_\_\_\_  
Alex Veltman  
State Bar No. 00795698  
Counsel for Petitioner