

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

**IN THE MATTER OF
GALEN RAY SUMROW
STATE BAR NO. 19511375**

§
§
§

CAUSE NO. 42036

JUDGMENT OF DISBARMENT

On the 14th day of August 2009, 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, Galen Ray Sumrow. The Board finds that:

- (1) It has continuing jurisdiction of this matter pursuant to Texas Rules of Disciplinary Procedure 8.05 ("TRDP");
- (2) The Court of Appeals for the Fifth Circuit of Texas at Dallas dismissed Respondent, Galen Ray Sumrow's, appeal and issued its Mandate indicating that the decision was final on or about April 17, 2009;
- (3) Petitioner filed its Motion for Entry of Judgment of Disbarment on or about June 23, 2009, and Respondent was personally served with same in accordance with TRDP 8.05 on July 2, 2009;
- (4) Respondent, although duly served and notified of the hearing date on the Motion for Entry of Final Judgment, did not answer or appear at the hearing in person or by attorney and wholly made default;
- (5) Respondent's conviction for the commission of an Intentional Crime as defined by TRDP 1.06(T), for which he was sentenced in the 382nd Judicial District Court of Rockwall County, Texas, has become final and is not subject to appeal;
- (6) Respondent's criminal sentence is not fully probated; and
- (7) Petitioner's Motion for Entry of Judgment of Disbarment should be granted.

Interlocutory Suspension

Following a hearing on the 20th day of June 2008, at which Petitioner, Commission for Lawyer Discipline of the State Bar of Texas, appeared by attorney and announced ready and Respondent, Galen Ray Sumrow, although duly cited to appear and having been notified 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 June 25, 2008, which included the following findings of fact and conclusions of law:

- (1) Respondent, Galen Ray Sumrow, whose State Bar Card number is 19511375, is licensed and currently authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about October 17, 2007, Respondent, Galen Ray Sumrow, was charged by True Bill of Indictment as follows: "Did unlawfully then and there knowingly and intentionally, appropriate, namely acquire and exercise control over property, other than real property, without the effective consent of the owner of the said property; namely, Sue White or Craig Stoddart or Rockwall County or the Rockwall County District Attorney's Office, and with intent to deprive the said owner of the said property" as listed in the True Bill of Indictment "and said amounts were appropriated, as alleged, in one scheme and continuing course of conduct, on or about March 25, 1999 through November 07, 2006, and the aggregate value of the property appropriated was at least Fifteen Hundred Dollars (\$1,500.00) but less than Twenty Thousand Dollars (\$20,000.00); And the defendant was a public servant at the time of the offense and the property appropriated came into the defendant's custody, possession, or control by virtue of his status as a public servant," in Cause No. 2-07-629 styled *The State of Texas v. Galen Ray Sumrow*, in the 382nd District Court of Rockwall County, Texas.
- (3) On or about February 14, 2008, an Amendment of Indictment was filed which amended the True Bill of Indictment as follows: in the columns entitled "Property" on pages 1, 2, and 3, of the Indictment, the description of each property is deleted, amended, and replaced with new descriptions of the property corresponding to the dates of the alleged transactions, and in the same order as listed in the columns entitled "On or about the date of appropriation."
- (4) On or about March 25, 2008, a Judgment of Conviction by Jury was signed in Cause Number No. 2-07-629 styled *The State of Texas v. Galen Ray Sumrow* in the 382nd Judicial District Court of Rockwall County, Texas, finding the Respondent guilty of Theft by Public Servant, Aggregated over \$1,500 but less than \$20,000, a third

degree felony in violation of Texas Penal Code Sections 31.03(e)(4), 31.03(f)(1), and 31.09.

- (5) Respondent, Galen Ray Sumrow, was sentenced in the criminal case to four (4) years in the Institutional Division of the Texas Department of Criminal Justice and ordered to pay restitution in the amount of \$9,652.76. The Court further ordered that Respondent be immediately removed as Criminal District Attorney of Rockwall County for official misconduct, and intentional, unlawful behavior relating to his official duties.
- (6) Respondent was personally served with the Petition for Compulsory Discipline and hearing notice by an authorized process server on April 29, 2008.
- (7) An affidavit of service was filed with the Board on May 9, 2008.
- (8) Respondent, Galen Ray Sumrow, is the same person as the Galen Ray Sumrow who is the subject of the Sumrow criminal case described above.
- (9) Respondent's criminal sentence is not fully probated.
- (10) Respondent has appealed the criminal conviction.
- (11) This Board has jurisdiction to hear and determine this matter. Rule 7.08(G), Texas Rules of Disciplinary Procedure ("TRDP").
- (12) Respondent, Galen Ray Sumrow, having been convicted of Theft by Public Servant, Aggregated over \$1,500 but less than \$20,000, has been convicted of an Intentional Crime as defined by TRDP 1.06(T).
- (13) Respondent has also been convicted of a Serious Crime as defined by TRDP 1.06(Z).
- (14) Having been found guilty and convicted of an Intentional and Serious Crime and having appealed such conviction, Respondent, Galen Ray Sumrow, should have his license to practice law in Texas suspended during the appeal of his criminal conviction. TRDP 8.04.
- (15) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final. TRDP 8.05, 8.06.

Disbarment

The Board has determined that disbarment of the Respondent is appropriate. It is, therefore, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent Galen Ray Sumrow,

State Bar No. 19511375, 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, Galen Ray Sumrow, is hereafter 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 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."

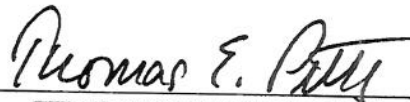
It is further **ORDERED** that Respondent, Galen Ray Sumrow shall immediately notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent has any legal matter pending, if any, of his disbarment, of the style and cause 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 further **ORDERED** to file with the Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, within thirty (30) days, an affidavit stating that all courts in which Respondent has any legal matter pending have been notified of his disbarment.

It is further **ORDERED** that Respondent, Galen Ray Sumrow, shall immediately notify each of his current clients, if any, in writing, of his disbarment. In addition to such notification, Respondent is **ORDERED** to immediately 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. Respondent is further **ORDERED** to file with the Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of

Texas, P.O. Box 12487, Austin, Texas 78711, within 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.

It is further **ORDERED** that Respondent, Galen Ray Sumrow, 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.

Signed this 18th day of August 2009



CHAIRMAN PRESIDING