

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

IN THE MATTER OF	§	
GALEN RAY SUMROW	§	CAUSE NO. 42036
STATE BAR CARD NO. 19511375	§	

INTERLOCUTORY ORDER OF SUSPENSION

On the 20th day of June 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 attorney and announced ready. 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. 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, 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.

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(G), Texas Rules of Disciplinary Procedure (“TRDP”);
- (2) 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).
- (3) Respondent has also been convicted of a Serious Crime as defined by TRDP 1.06(Z).
- (4) 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.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final. TRDP 8.05, 8.06.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Galen Ray Sumrow, State Bar Card No.19511375, is hereby **SUSPENDED** from the practice of law in the State of Texas effective immediately upon entry of this order and continuing hereafter until further order of this Board.

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Galen Ray Sumrow, during said suspension is hereby 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 order, 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 notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Galen Ray Sumrow, has

any legal matter pending, if any, of his suspension, 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, Galen Ray Sumrow, shall immediately notify each of his current clients, if any, in writing, of his suspension. 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 of this Order. Respondent is further **ORDERED** to file with the 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 either (a) that all current clients have been notified of his suspension 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 or (b) that Respondent has no current clients, files, or papers, and that any unearned fees paid in advance or other monies or properties belonging to clients have previously been returned to the appropriate client. If Respondent is 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 all

notification letters 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, Galen Ray Sumrow, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

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.

It is further **ORDERED** that Respondent shall promptly notify the Board and the State Bar of Texas Chief Disciplinary Counsel when the appeal of the criminal conviction is final.

It is further **ORDERED** that the Chief Disciplinary Counsel of the State Bar of Texas shall monitor the status of the appeal of the criminal conviction on at least a quarterly basis and promptly file an appropriate motion for entry of final judgment with the Board when the appeal of the criminal conviction is final.

Signed this 25th day of June 2008.



CHAIR PRESIDING