

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

**IN THE MATTER OF
ERIC DEAN TROUTT
STATE BAR CARD NO. 24034787**

§
§
§

CAUSE NO. 40490

JUDGMENT OF DISBARMENT

On the 27th day of September 2007, the above-styled and numbered compulsory 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, Eric Dean Troutt, State Bar Card No. 24034787, although duly cited to appear and duly noticed 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, Eric Dean Troutt, whose State Bar Card number is 24034787, is currently licensed by the Supreme Court of Texas but was administratively suspended on June 29, 2007 for failure to comply with Minimum Continuing Legal Education requirements and is not currently authorized to practice law.
- (2) On January 17, 2007, a Plea Agreement was entered in Cause No. 06-30106-GPM, styled *United States of America v. Eric Dean Troutt*, in the United States District Court for the Southern District of Illinois, wherein Respondent pled guilty to Counts

Two and Five of the Five Count Indictment dated August 2, 2006. Respondent pled guilty to Tax Evasion: Evading the Assessment of Income Taxes for the Year 2003 (Count Two) in violation of 26 U.S.C. §7201, and to False Statement to Obtain Loan from Financial Institution (Count Five) in violation of 18 U.S.C. §1014.

- (3) On January 17, 2007, a Stipulation of Facts was entered in Cause No. 06-30106-GPM, styled *United States of America v. Eric Dean Troutt*, in the United States District Court for the Southern District of Illinois, wherein Respondent stipulated to conduct relevant to the Troutt criminal case.
- (4) On or about April 16, 2007, a Judgment in a Criminal Case was entered in Case Number 3:06CR30106-001-GPM, styled *United States of America v. Eric Dean Troutt*, in the United States District Court for the Southern District of Illinois, wherein Respondent was adjudicated guilty of Attempt to Evade or Defeat Tax in violation of Title 26 U.S.C. §7201 and of Loan and Credit Applications (False Statement) in violation of Title 18 U.S.C. §1014. Respondent was sentenced to be committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of fifteen (15) months with supervised release for a total term of five (5) years. Respondent was further ordered to pay an Assessment of \$200.00.
- (5) Respondent, Eric Dean Troutt is the same person as Eric Dean Troutt, who is the defendant in the Troutt criminal case described above, Cause No. 3:06CR30106-001-GPM, styled *United States of America v. Eric Dean Troutt*, in the United States District Court for the Southern District of Illinois.
- (6) Respondent was personally served with the Petition for Compulsory Discipline on August 17, 2007, as evidenced by the affidavit of a Deputy Sheriff of the Vigo County Sheriff's Department, State of Indiana.
- (7) The affidavit of service was filed with this Board on August 24, 2007, and has been on file more than ten (10) days as of the date of the hearing and of this judgment.
- (8) The sentence in the criminal case is not 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. Rule 7.08(G) and Part VIII, Texas Rules of Disciplinary Procedure ("TRDP").

- (2) Respondent, Eric Dean Troutt, having pled guilty to and been sentenced for Attempt to Evade or Defeat Tax and for False Statement on a Loan Application, has been convicted of Intentional Crimes as defined in TRDP 1.06T for purposes of compulsory discipline pursuant to Part VIII TRDP. Said crimes are also Serious Crimes as defined by TRDP 1.06Z.
- (3) Respondent, Eric Dean Troutt, having been convicted of an Intentional Crime and having been sentenced to a term of incarceration, should be disbarred. TRDP 8.05.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Eric Dean Troutt, State Bar Card No. 24034787, be, and he hereby is, **DISBARRED** from the practice of law in the State of Texas, and his license to practice law in this state be, and hereby is, **REVOKED**.

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Eric Dean Troutt, 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, Eric Dean Troutt, shall notify in writing, not later than thirty (30) days from the date of this judgment, each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent, Eric Dean Troutt, 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, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent, Eric Dean Troutt, 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 this Board, 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 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, Eric Dean Troutt, immediately surrender his Texas law license and permanent State Bar Card to the Chief Disciplinary Counsel, 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, upon filing of this Judgment, the BODA Clerk shall send a

certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Judgment, to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 2nd day of October 2007.



CHAIRMAN