

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

IN THE MATTER OF	§	
SHEILA WHARTON	§	CAUSE NO. 42677
STATE BAR CARD NO. 21243600	§	

JUDGMENT OF DISBARMENT

On the 6th day of October 2008, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney, Laura Bayouth Popp, and announced ready. Respondent, Sheila Wharton, although duly cited to appear and having notice of the hearing, failed to answer or appear and wholly made default. All questions of fact as well as all issues 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, Sheila Wharton, State Bar Card Number 21243600, is currently licensed but not authorized to practice law in the State of Texas due to an administrative suspension effective September 15, 1999 for failure to pay bar dues.
- (2) On or about September 14, 2007, Sheila Wharton was disbarred by the Supreme Court of the State of Louisiana in cause no. 2007-B-0556 pursuant to formal charges filed against Sheila Wharton consisting of three matters that resulted in findings of misconduct by the hearing committee.
- (3) After reviewing the findings of the hearing committees in the three formal charges, the Louisiana Attorney Disciplinary Board found that the appropriate discipline was disbarment.

- (4) Respondent, Sheila Wharton, is same person as Sheila Wharton who is the subject of the Order of the Supreme Court of the State of Louisiana entered on September 14, 2007, disbaring Respondent in Case No. 2007-B-0556; styled, *IN RE: SHEILA WHARTON*.
- (5) The Order of the Supreme Court of the State of Louisiana disbaring Respondent is final.
- (6) Respondent was served with this Board's Order to Show Cause and hearing notice dated July 28, 2008 with the Petition for Reciprocal Discipline on August 12, 2008, by certified mail, return receipt requested, as evidenced by the signature of "S Wharton" on the return receipt.
- (7) The return receipt bearing Respondent's signature was filed with the Board on September 11, 2008.

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 ("TRDP") 7.08(H).
- (2) Reciprocal discipline identical to that imposed by the Supreme Court of the State of Louisiana is warranted in this case.
- (3) Respondent should be disbarred.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Sheila Wharton, State Bar Card No. 21243600, be and he is hereby **DISBARRED** from the practice of law in the State of Texas and her license to practice law in this state be and is hereby revoked, effective immediately.

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Sheila Wharton, is hereafter permanently prohibited, effective immediately, from practicing law in Texas, holding herself 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 or in any proceeding in any Texas court or before any Texas administrative body, or holding herself out to others or using her name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further **ORDERED** that Respondent, Sheila Wharton, no later than thirty (30) days from the date of this judgment, shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Sheila Wharton, has any legal matter pending, if any, of her 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, Sheila Wharton, shall immediately notify each of her current clients, if any, in writing, of her 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 her 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 her 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 her 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, Sheila Wharton, immediately surrender her Texas law license and permanent State Bar Card to the 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 8th day of October 2008



CHAIRMAN PRESIDING