



F I L E D

Oct 02 2026

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

IN THE MATTER OF
BRIAN MICHAEL WHITE,
STATE BAR CARD NO. 24042338

§§§

NO. 73753

ANSWER TO FIRST AMENDED PETITION FOR RECIPROCAL DISCIPLINE

COMES NOW Brian Michael White, Esq. (“Respondent”), and hereby answers the First Amended Petition for Reciprocal Discipline submitted herein by the Commission for Lawyer Discipline:

1. Respondent admits the allegations of paragraph 1 of the First Amended Petition.
2. Respondent admits the allegations of paragraph 2 of the First Amended Petition.
3. With respect to the allegations of paragraph 3 of the First Amended Petition, Respondent generally admits the entry of the “Specification of Charges” referenced therein as issued by the Disciplinary Board of the Supreme Court of the State of New Mexico. With respect to the recitation of the contents of such Specification of Charges, Respondent states that the document speaks for itself.
4. With respect to the allegations of paragraph 4 of the First Amended Petition, Respondent generally admits the entry of the “Hearing Committee’s Findings of Fact and Conclusions of Law and Recommendations for Discipline” issued in the New Mexico proceeding. With respect to the recitation of the contents of such Findings of Fact and Conclusions of Law and Recommendations for Discipline, Respondent states that the document speaks for itself.

5. With respect to the allegations of paragraph 5 of the First Amended Petition, Respondent generally admits the entry of the referenced “Board Panel’s Decision and Order” issued in the New Mexico proceeding. With respect to the recitation of the contents of such Board Panel’s Decision and Order, Respondent states that the document speaks for itself.

6. With respect to the allegations of paragraph 6 of the First Amended Petition, Respondent generally admits the entry of the referenced “Order” issued in the New Mexico proceeding. With respect to the recitation of the contents of such Order, Respondent states that the document speaks for itself.

7. Respondent admits the allegations of paragraph 7 of the First Amended Petition.

8. With respect to the allegations of paragraph 8 of the First Amended Petition, Respondent is without sufficient personal knowledge to admit or deny said allegations and therefore denies same and demands strict proof thereof.

9. With respect to the allegations of paragraph 9 of the First Amended Petition, Respondent is without sufficient personal knowledge to admit or deny said allegations and therefore denies same and demands strict proof thereof.

10. With respect to the allegations of paragraph 10 of the First Amended Petition, Respondent is without sufficient personal knowledge to admit or deny said allegations and therefore denies same and demands strict proof thereof.

11. With respect to the allegations of paragraph 11 of the First Amended Petition, Respondent is without sufficient personal knowledge to admit or deny said allegations and therefore denies same and demands strict proof thereof.

12. With respect to the allegations of paragraph 12 of the First Amended Petition, Respondent is without sufficient personal knowledge to admit or deny said allegations and therefore denies same and demands strict proof thereof.

ADDITIONAL DEFENSES OR MITIGATING CIRCUMSTANCES

13. Respondent did not intentionally violate the New Mexico Rules of Professional Conduct. Rather, any asserted violation was the result of a mistaken lack of knowledge.

14. Upon being notified of this disciplinary proceeding, Respondent acknowledged the charges and immediately resigned his position with the New Mexico Energy, Minerals, and Natural Resources Department and thereafter has taken no actions that could be construed as the practice of law in New Mexico. Respondent responded to the New Mexico proceeding in good faith and is cooperating with this Texas proceeding in good faith.

15. Any actions undertaken by Respondent that could be construed as the practice of law in New Mexico involved only “public employee” activities and Respondent at no time engaged in any actions undertaken by Respondent that could be construed as the practice of law, or any actions that exceeded permitted activities under New Mexico Rule 15-304. More particularly, the activities undertaken by Respondent during his employment with the New Mexico Energy, Minerals, and Natural Resources Department were limited to administrative activities involving open records and records retention liaison, processing of applications for grants and employee accommodations, and acting as employee Ombudsman. None of these activities required a law license.

16. There is no allegation or showing that any person or entity, including the New Mexico Energy, Minerals, and Natural Resources Department, was damaged or injured from any violative actions of the Respondent in New Mexico.

17. In the context of applying for and assuming his employment with the New Mexico Energy, Minerals, and Natural Resources Department, Respondent received no notice or instruction regarding any licensing requirements. Upon information and belief, applicants for positions with that agency generally receive such notice and instruction.

18. Other than the matters at issue in this proceeding and certain frivolous complaints from a Ryan Gordon, who also filed frivolous complaints against other employees of the New Mexico Energy, Minerals, and Natural Resources Department, Respondent had a clean ethical record in New Mexico.

19. Other than this proceeding, Respondent has a clean ethical record in Texas.

20. Respondent is not a licensed attorney in New Mexico and, as a result of the New Mexico proceeding, was and is precluded from seeking admission to the State Bar of New Mexico for a period of one year. Since Respondent is a licensed attorney in Texas, reciprocal discipline is not legally or logically possible.

21. Respondent has not engaged in the type of intentional or grossly negligent conduct that would normally justify substantive discipline. Rather, Respondent at most committed a technical non-compliance in New Mexico.

WHEREFORE, Respondent requests that this matter be heard and determined by the Board of Disciplinary Appeals.

/s/ Brian Michael White
Brian Michael White, Esq.
1504 Summit Ridge
Santa Fe, New Mexico 87501-8343

I hereby certify that, on October 2, 2026, I served a copy of this Answer to First Amended Petition for Reciprocal Discipline on Amanda M. Kates, Assistant Disciplinary Counsel via electronic service at amanda.kates@texasbar.com.

/s/ Brian Michael White _____
Brian Michael White