

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

IN THE MATTER OF	§	
RICHARD B. REYNOLDS	§	CAUSE NO. 47268
STATE BAR CARD NO. 00797306	§	

DEFAULT JUDGMENT OF DISBARMENT

On the 1st day of July 2011, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline appeared by counsel from the Office of the Chief Disciplinary Counsel and announced ready. Respondent, Richard B. Reynolds, although duly cited to appear and having notice of the hearing, failed to appear and wholly made default. All questions of fact and 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, Richard B. Reynolds, State Bar Card Number 00797306, is licensed but not currently authorized to practice law in the State of Texas by the Supreme Court of Texas due to administrative suspension for failure to pay bar dues and attorney occupation tax.
- (2) On or about December 15, 2009, a Petition for Resignation with Discipline Pending was filed in the Utah Supreme Court in a matter styled: Supreme Court No. 2009 1064-SC, *In the Matter of the Discipline of: Richard B. Reynolds, #08716, Respondent.*
- (3) On or about December 15, 2009, a Response and Consent to Petition for Resignation with Discipline Pending was filed in the Utah Supreme Court in a matter styled: Supreme Court No. 2009 1064-SC, *In the Matter of the Discipline of: Richard B. Reynolds, #08716, Respondent.*

- (4) On or about January 13, 2010, an Order Accepting Resignation with Discipline Pending was entered in the Utah Supreme Court in a matter styled: Supreme Court No. 2009 1064-SC, *In the Matter of the Discipline of: Richard B. Reynolds, #08716, Respondent*. The Order bases the resignation upon Richard B. Reynolds Petition for Resignation With Discipline Pending, which states that, in one matter, he failed to keep his client, Karen Crookston, adequately informed about her case, falsely billed her for an expert, grabbed a settlement check out of her hands, misled a court in his attempt to get his fees from her, failed to comply with orders of the court, and failed to respond to a Notice of Informal Complaint, in violation of Utah Rules of Professional Conduct 1.4(b)-communication, 1.5(b)-fees, 1.15(d)-failure to promptly return to client or third party property to which they are entitled., 3.3(a)(1)-candor toward the tribunal, 8.1(b)- knowingly fail to respond to a lawful demand for information from a disciplinary authority, 8.4(d)-engaging in conduct that is prejudicial to the administration of justice, and 8.4(a)-violating the Rules of Professional Conduct. The Petition upon which the Order is based, also states that in another matter Richard Reynolds failed to return property to a client at the conclusion of representation and failed to respond to a Notice of Informal Complaint, in violation of Utah Rules of Professional Conduct 1.15(d)-failure to promptly return to client or third party property to which they are entitled and 8.1(b)-knowingly fail to respond to a lawful demand for information from a disciplinary authority.
- (5) Respondent, Richard B. Reynolds, is the same person as the Richard B. Reynolds who is the subject of the Order of the Utah Supreme Court described above.
- (6) This Board issued its Order to Show Cause on May 13, 2011 directing Respondent to answer within 30 days and show why imposition of the identical discipline in Texas would be unwarranted.
- (7) Respondent was personally served by duly authorized process server with the Order to Show Cause and Petition for Reciprocal Discipline with hearing date on May 25, 2011, and the affidavit of service was filed with BODA on June 9, 2011.
- (8) As of the date of the BODA hearing, Respondent had not answered or otherwise appeared.

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. TRDP Rule 7.08(H).
- (2) Reciprocal discipline identical to that imposed by the Supreme Court of Utah is warranted in this case.
- (3) Pursuant to TRDP 10.05, resignation with discipline pending is treated as a disbarment for all purposes.
- (4) Respondent should be disbarred.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Richard B. Reynolds, State Bar Card No. 00797306, 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, Richard B. Reynolds, 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 before 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, Richard B. Reynolds, 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, Richard B. Reynolds, 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 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, Richard B. Reynolds, 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 the Statewide Compliance Monitor, 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 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, Richard B. Reynolds, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the

Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas
78711, for transmittal to the Clerk of the Supreme Court of Texas.

Signed this 6th day of July 2011.

A handwritten signature in black ink, appearing to read "W. C. ...", is written over a horizontal line. Below the line, the words "CHAIR PRESIDING" are printed in a bold, sans-serif font.

CHAIR PRESIDING