

FILED

By: _____

JUN 12 2008

Board of Disciplinary Appeals
appointed by the
Supreme Court of Texas

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

**IN THE MATTER OF §
PATRICIA FOSTER SKELTON § CAUSE NO. 42223
STATE BAR CARD NO. 07307200 §**

AGREED INTERLOCUTORY ORDER OF SUSPENSION

On this day, the above-styled and numbered compulsory disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and Respondent appeared through her attorney of record as indicated by their respective signatures below and announced that they agree to the findings of fact, conclusions of law and orders set forth below. The Board of Disciplinary Appeals, having reviewed the file and in consideration of the agreement of the parties, 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, Patricia Foster Skelton, whose State Bar Card number is 07307200, is licensed by the Supreme Court of Texas to practice law but is not currently authorized to practice law in the State of Texas.
- (2) On or about November 15, 2004, Respondent, Patricia Foster Skelton, was indicted on the charge of Forgery, a State Jail Felony, in Cause No. 2004-934-DR, styled *The State of Texas v. Patricia Foster Skelton*, in the District Court of Real County, Texas.
- (3) On or about December 12, 2007, Respondent, Patricia Foster Skelton, was found guilty of Forgery in Cause Number 2004-934-CR styled, *The State of Texas v. Patricia Foster Skelton*, in the 38th District Court of Real County, Texas.
- (4) On or about January 10, 2008, in Cause Number 2004-934-CR styled, *The State of Texas v. Patricia Foster Skelton*, in the 38th District Court of Real County, Texas, the Court sentenced Respondent to confinement in the Texas Department of Criminal Justice – State Jail Division for a term of one (1) year. The Court then

suspended the imposition of the sentence and Ordered, Adjudged and Decreed that the Respondent be placed on probation for a period of two (2) years.

- (5) Respondent, Patricia Foster Skelton, is the same person as the Patricia Foster Skelton who is the subject of the Skelton criminal case described above.
- (6) 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;
- (2) Respondent, Patricia Foster Skelton, having been convicted of forgery 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, Patricia Foster Skelton, should have her license to practice law in Texas suspended during the appeal of her criminal conviction. TRDP 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

It is, accordingly, ORDERED, ADJUDGED, and DECREED that Respondent, Patricia Foster Skelton, State Bar Card No.07307200, 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, Patricia Foster Skelton, during said suspension is hereby 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 before the date of this order, appearing as counsel 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, Patricia Foster Skelton, 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, Patricia Foster Skelton, has any legal matter pending, if any, of her 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, Patricia Foster Skelton, shall immediately notify each of her current clients, if any, in writing, of her 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 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 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 her 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 her 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, Patricia Foster Skelton, immediately surrender her 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 a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Order, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

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. In the Matter of Mercier, 242 SW 3d 46 (Tex. 2007).

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 19th day of June 2008.

Paul R. Cho

Chairman Presiding
Board of Disciplinary Appeals

APPROVED AS TO FORM AND CONTENT:

Laura Bayouth Popp

Laura Bayouth Popp
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Steven L. Lee
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Attorney for Respondent

Patricia Foster Skelton

Patricia Foster Skelton
State Bar Card No. 07307200
Respondent

Agreed Interlocutory Order of Suspension
Patricia Foster Skelton
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