

**BEFORE THE EVIDENTIARY PANEL OF
STATE BAR DISTRICT NO. 4D08 GRIEVANCE COMMITTEE**

COMMISSION FOR LAWYER DISCIPLINE,	§	
	§	H0020519586 [ANGELA D. RANDOLPH]
Petitioner,	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
RONALD E. REYNOLDS,	§	
	§	
Respondent.	§	

AGREED JUDGMENT OF PARTIALLY PROBATED SUSPENSION

On the 22nd day of Nov., 2005, came to be heard the above-entitled and numbered disciplinary proceeding. Petitioner, the **COMMISSION FOR LAWYER DISCIPLINE**, by and through its attorney of record, Brian A. Schaffer, Regional Counsel, Office of the Chief Disciplinary Counsel, STATE BAR OF TEXAS, and Respondent, **RONALD E. REYNOLDS** ("Respondent"), Texas Bar Number 24025610, by and through his attorney of record, Robert S. "Bob" Bennett, announced to the Evidentiary Panel that the parties agree and stipulate that judgment should be entered in this case as set forth in this *Agreed Judgment of Partially Probated Suspension*. The Evidentiary Panel, after considering the pleadings on file in this disciplinary proceeding, is of the opinion that the agreement of the parties is just and equitable, and that final judgment should be entered in accordance thereof and as set forth herein.

Respondent is an attorney whose license to practice law in Texas is currently suspended and is a member of the STATE BAR OF TEXAS. Respondent's principal place of practice is Harris County, Texas. Therefore, this Evidentiary Panel has jurisdiction over the parties and subject matter of this case, and venue is appropriate in Harris County, Texas.

The Evidentiary Panel finds and concludes, as stipulated by the parties, that Respondent has committed professional misconduct as defined by Rule 1.06V of the TEXAS RULES OF DISCIPLINARY PROCEDURE ("TRDP") and should be suspended from the practice of law. Respondent consents to the rendition and entry of this *Agreed Judgment of Partially Probated Suspension*.

I. FINDINGS OF FACT

The Evidentiary Panel, having considered all of the evidence submitted, enters the following agreed findings of fact in support of this *Agreed Judgment of Partially Probated Suspension*:

1. Respondent is an attorney whose license to practice law in Texas is currently suspended and is a member of the STATE BAR OF TEXAS.
2. Respondent's principal place of practice has been Houston, Harris County, Texas.
3. The Chief Disciplinary Counsel of the STATE BAR OF TEXAS has incurred reasonable attorneys' fees and direct expenses associated with the proceedings of this matter, which should be paid by Respondent.
4. On or around October 30, 2003, Angela D. Randolph ("Complainant") retained Respondent to represent her in a personal injury case. Thereafter, in or around January 2004, Respondent settled the case without Complainant's knowledge or consent.
5. Respondent then received settlement proceeds from the insurer without notifying Complainant, negotiated the settlement check without distributing the funds to Complainant, and misrepresented to Complainant that Respondent was still working on the case even after Respondent had successfully negotiated the settlement check.
6. Respondent has paid and Complainant has received five thousand (\$5,000.00) dollars.

II. CONCLUSIONS OF LAW

It is agreed that the foregoing findings of fact support a violation of Rules 1.01(b)(2); 1.03(a),(b); 1.14(a),(b); and 8.04(a)(3) of the TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT, Article X, Section 9, STATE BAR RULES.

III. SANCTION

IT IS AGREED AND THEREFORE ORDERED in accordance with the factors set forth in Rule 2.18 of the TRDP that the proper discipline of Respondent for each act of professional misconduct as found in this case is suspension from the practice of law as follows:

1. an active suspension from the practice of law to begin on March 31, 2006 and continue through June 30, 2006; and
2. a probated suspension to begin immediately upon the conclusion of the active suspension and ending on June 30, 2009.

IT IS AGREED AND THEREFORE ORDERED that during any period of active suspension Respondent shall be enjoined from practicing law in Texas, holding himself out as an attorney, performing any legal services for others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity 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 matter in conjunction with the words "attorney," "counselor," "counselor at law," or "lawyer."

IT IS AGREED AND THEREFORE ORDERED that Respondent shall within thirty days of the date of this *Judgment* notify each of his current clients in writing of this suspension. In addition to such notification, Respondent is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients in Respondent's possession to the respective clients or to another attorney at the client's request. Respondent is **ORDERED** to file with the **STATE BAR OF**

TEXAS, Office of the Chief Disciplinary Counsel, 600 Jefferson, Suite 1000, Houston, Texas 77002, within thirty days of the date of this *Judgment*, an affidavit stating that all current clients have been notified of this suspension and that all files, papers, monies and other property belonging to all clients have been returned as ordered herein.

IT IS AGREED AND THEREFORE ORDERED that Respondent shall within thirty days of the date of this *Judgment* notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of this suspension, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in court. Respondent is **ORDERED** to file with the **STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, 600 Jefferson, Suite 1000, Houston, Texas 77002**, within thirty days of the date of this *Judgment*, an affidavit stating that he has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of this suspension, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in court.

IT IS AGREED AND THEREFORE ORDERED that Respondent shall within thirty days of this *Judgment* surrender his law license and permanent State Bar Card to the **STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, 600 Jefferson, Suite 1000, Houston, Texas 77002**, for forwarding to the SUPREME COURT OF TEXAS.

IT IS AGREED AND THEREFORE ORDERED that the probated suspension shall be served by Respondent subject to all of the following terms and conditions:

1. Respondent shall not engage in professional misconduct as defined by Rule 1.06V of the TRDP.

2. Respondent shall not violate any state or federal criminal statutes, except that misdemeanor traffic offenses shall not be grounds for revocation of Respondent's probation.
3. Respondent shall at all times keep the STATE BAR OF TEXAS membership department notified as to his current mailing, residence, and business addresses and telephone numbers, and he shall advise the STATE BAR OF TEXAS of any of these changes within ten days of the change.
4. Respondent shall comply with Minimum Continuing Legal Education (MCLE) requirements in accordance with Article XII of the STATE BAR RULES.
5. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements in accordance with Article XI of the STATE BAR RULES.
6. Respondent shall respond to any request for information forwarded to him by the Office of the Chief Disciplinary Counsel of the STATE BAR OF TEXAS in connection with an investigation of any allegations of professional misconduct promptly in accordance with the TRDP unless Respondent claims the privilege against self-incrimination.
7. Respondent will continue to abide by the terms of the Agreed Judgment of Partially Probated Suspension entered on February 9, 2005.

IT IS AGREED AND THEREFORE ORDERED that upon determination by the BOARD OF DISCIPLINARY APPEALS ("BODA") that Respondent has violated any term or condition of probation, BODA shall enter an order revoking the probation and imposing the active suspension of Respondent from the practice of law for a period of three months commencing on or after the date of revocation upon the following conditions:

1. The Chief Disciplinary Counsel of the STATE BAR OF TEXAS may apply to BODA for revocation by filing a written *Motion to Revoke Probation*;
2. A copy of the *Motion to Revoke Probation* and a *Notice of Hearing* shall be delivered to Respondent pursuant to Rule 2.23 of the TRDP at Respondent's last known address on the membership rolls of the STATE BAR OF TEXAS; and
3. BODA shall expeditiously hear the *Motion to Revoke Probation* within thirty days of service upon Respondent, shall determine whether Respondent has

violated any of the terms or conditions of probation and whether the acts constituting the violation occurred during the period of probation by a preponderance of the evidence.

IT IS AGREED AND THEREFORE ORDERED that during any period of active suspension imposed on Respondent by BODA as a result of revocation of his probation shall be in addition to any and all other action taken against Respondent as a consequence of his professional misconduct or criminal acts occurring during the period of probation which serve as the basis for the revocation of probation.

IT IS AGREED AND THEREFORE ORDERED that Respondent pay reasonable and necessary **attorneys' fees in the amount of three hundred fifty dollars. This payment is to be remitted to the STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, 600 Jefferson, Suite 1000, Houston, Texas 77002, by money order, certified check, or cashier's check contemporaneously with the signing of this Judgment.**


IT IS FURTHER ORDERED that this suspension is to be made a matter of public record and shall be appropriately recorded in accordance with the TRDP.

By the signatures of Respondent and all counsel of record, it is shown that this *Agreed Judgment of Partially Probated Suspension* is agreed to by the parties pursuant to Rule 11 of the TEXAS RULES OF CIVIL PROCEDURE, both as to form and substance.

All relief not expressly granted in this *Agreed Judgment of Partially Probated Suspension* is **DENIED.**

SIGNED this 22nd day of Nov., 2005.

**EVIDENTIARY PANEL
DISTRICT 4D08 GRIEVANCE COMMITTEE
STATE BAR OF TEXAS**



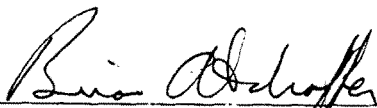
JANICE KROCKER
Chairperson

**AGREED AS TO BOTH
FORM AND SUBSTANCE:**

**AGREED AS TO BOTH
FORM AND SUBSTANCE:**

STATE BAR OF TEXAS
Office of the Chief Disciplinary Counsel

JOHN A. NEAL
Chief Disciplinary Counsel



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**ATTORNEY FOR RESPONDENT,
RONALD E. REYNOLDS**



RONALD E. REYNOLDS, RESPONDENT

State Bar No. 24025610