

DISCIPLINARY ACTIONS

Contact the Office of Chief Disciplinary Counsel at 877-953-5535, the Board of Disciplinary Appeals at 512-427-1578 or txboda.org, or the State Commission on Judicial Conduct at 512-463-5533. Some attorneys might share the same or similar names. To identify an attorney, please verify using that attorney's bar card number. Go to [texasbar.com](https://www.texasbar.com) and use the "Find a Lawyer" tool to search for an attorney.

JUDICIAL ACTIONS

To read the entire public sanctions, go to scjc.texas.gov.

On December 2, 2022, the Special Court of Review issued an opinion regarding *In Re Honorable Robert D. Burns, III*, CJC No. 20-1561, finding that the State Commission on Judicial Conduct failed to carry its burden of establishing a preponderance of evidence that Robert D. Burns III engaged in any willful or persistent conduct in violation of either Canon 3(B)(4) or the Texas Constitution and therefore finding Burns not guilty of both charges and dismissing the commission's public admonition.

On May 23, 2022, the Special Court of Review issued an opinion regarding *In Re Inquiry*

Concerning Hon. Ken Molberg, CJC No. 19-0583, reversing the State Commission on Judicial Conduct's public admonition of Ken Molberg and dismissing the charges against him without sanction.

On August 19, 2024, the State Commission on Judicial Conduct issued a public admonition to Lee "Kenny" Perez, Port Isabel Municipal Court, Port Isabel, Cameron County.

On August 30, 2024, the State Commission on Judicial Conduct issued a public admonition to Shirley Mays, Teague, Freestone County.

On August 21, 2024, the State Commission on Judicial Conduct issued a public reprimand to Franklin Bynum, County Criminal Court at Law No. 8, Houston,

Harris County. Bynum has filed an appeal.

REINSTATEMENTS

JUSTIN BLAKE GRANT [#24079837], of Austin, filed a petition in the 455th District Court in Travis County for reinstatement as a member of the State Bar of Texas.

LUIS U. CARRASCO, [#24009946], of Odessa, filed a petition in the 70th District Court of Ector County for reinstatement as a member of the State Bar of Texas.

BODA

On August 14, 2024, the Board of Disciplinary Appeals issued an order dismissing appeal for want of jurisdiction in the appeal filed by Fort Worth attorney **CURTIS LILLY** [#24030063]. On February 23, 2024, an evidentiary panel of the District 6 Grievance Committee of the State Bar of Texas issued a judgment of partially probated suspension. The evidentiary panel found that Lilly violated Texas Disciplinary Rules of Professional Conduct 3.03(a)(1) (false statement of material fact or law to a tribunal), 8.04(a)(3) (dishonesty, fraud, deceit, or misrepresentation), and 8.04(a)(8) (failure to respond to grievance). Lilly is suspended for 54 months, with a 30-month active suspension beginning February 20, 2024, and ending August 19, 2026, followed by a probated suspension ending on August 19, 2028. BODA Case No. 69240.

RESIGNATION

On August 23, 2024, the Supreme Court of Texas accepted the resignation in lieu of discipline of **HUMBERTO R. PENA** [#15737500], of

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Washington, D.C. At the time of his resignation, Pena was alleged to have engaged in the practice of law in Texas while on inactive status and of knowingly making a false statement in connection with a disciplinary proceeding.

Pena allegedly violated Rules 8.04(a)(11) and 8.01(a).

SUSPENSIONS

On August 31, 2024, **RAFAEL PIZANA III** [#24060430], of San Antonio, accepted a three-month active suspension following a finding of professional misconduct by the 225th Judicial Court of Bexar County, Texas. Pizana agreed to settle a client matter without his client's authorization, signed documents on behalf of the client agreeing to the unauthorized settlement, and directed his employee to sign and

notarize a final agreement for the unauthorized settlement.

Pizana violated Rules 1.02(a)(2), 8.04(a)(1), and 8.04(a)(3). He agreed to pay \$7,953 in attorneys' fees and direct expenses.

On August 28, 2024, **KIMBERLY LYNN BUSH** [#24047231], of San Antonio, accepted a two-year fully probated suspension effective September 1, 2024. An evidentiary panel of the District 10 Grievance Committee found that Bush failed to respond to the grievance in a timely manner.

Bush violated Rule 8.04(a)(8). She agreed to pay \$500 in attorneys' fees and direct expenses.

On September 3, 2024, **RYAN MATTHEW MCFARLIN** [#24055936], of Dallas, agreed to a 24-month fully probated suspension beginning

September 1, 2024, and ending on August 31, 2026. An evidentiary panel of the District 6 Grievance Committee found that the complainant hired McFarlin to represent her in a personal injury case resulting from a motor vehicle accident. McFarlin failed to keep the complainant reasonably informed about her personal injury matter and failed to promptly comply with reasonable requests for information from the complainant. Upon conclusion of the complainant's personal injury matter, McFarlin failed to provide the complainant with a written statement describing the outcome and failed to provide a written statement showing any remittance to the complainant and the method of its determination. McFarlin failed to hold funds belonging to the complainant that were in McFarlin's possession in connection with the representation separate from McFarlin's own property. Upon request by the complainant, McFarlin failed to promptly render an accounting. McFarlin failed to keep disputed funds separate until there was an accounting and severance of their interests. McFarlin failed to withdraw from representing the complainant when McFarlin's physical, mental, or psychological condition materially impaired McFarlin's fitness to represent the complainant. Upon termination of representation, McFarlin failed to take steps to the extent reasonably practicable to protect the complainant's interests and failed to surrender papers and property to which the complainant was entitled.

McFarlin violated Rules 1.03(a), 1.04(d), 1.14(a), 1.14(b), 1.14(c), 1.15(a)(2), and 1.15(d). He was ordered to pay \$5,015 in attorneys' fees and direct expenses.

On September 26, 2024, **JAMES BRANDON GAINES** [#24077991], of

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Lubbock, accepted a 19-month and 30-day fully probated suspension effective October 1, 2024. An investigatory panel of the District 16 Grievance Committee found that Gaines failed to promptly comply with his client’s request for information and neglected a legal matter.

Gaines violated Rules 1.03(a) and 1.01(b)(1). He agreed to pay \$800 in attorneys’ fees and direct expenses.

On September 9, 2024, **RICHARD JORDAN RILEY** [#24064424], of Houston, accepted a two-year, partially probated suspension, with the first six months actively suspended, effective October 1, 2024. An investigatory panel of the District 3 Grievance Committee found that Riley frequently failed to carry out completely his obligations to his client, failed to abide by his client’s decisions regarding the representation, and failed to withdraw from the representation when he was discharged. Furthermore, Riley failed to respond to the grievance.

Riley violated Rules 1.01(b)(2), 1.02(a)(1), 1.15(a)(3), and 8.04(a)(8). He was ordered to pay \$3,000 in restitution and \$1,500 in attorneys’ fees.

PUBLIC REPRIMANDS

On September 3, 2024, **PAULA J. SALINAS** [#17535990], of Austin, accepted an agreed judgment of public reprimand. An investigatory panel of the District 9 Grievance Committee found that Salinas was hired in December 2021 to handle a probate matter for her client involving an affidavit to determine heirship and obtain letters of independent administration following the death of her client’s husband. Initially, Salinas worked on her client’s case without any issue. However, starting in 2022, Salinas

stopped responding to the client inquiries and opposing counsel. Ultimately, the client was forced to hire new counsel at additional cost. Salinas received a copy of the grievance filed by the client on February 15, 2024. Thereafter, Salinas failed to timely submit a response to the grievance.

Salinas violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). She was also ordered to pay \$500 in attorneys’ fees.

On September 9, 2024, **JASON EDWARD CRUZ** [#24052678], of San Antonio, accepted a public reprimand. An evidentiary panel of the District 10 Grievance Committee found that Cruz neglected client matters, failed to keep clients reasonably informed and promptly comply with reasonable requests for information, failed to explain legal matters to the extent reasonably

necessary to permit a client to make informed decisions, and failed to respond to the grievance in a timely manner.

Cruz violated Rules 1.01(b)(1), 1.03(a), 1.03(b), and 8.04(a)(8). He agreed to pay \$3,500 in restitution and \$1,250 in attorneys’ fees and direct expenses.

On September 24, 2024, **AUDIA FANESHA MOSES** [#24066433], of Houston, received an agreed judgment of public reprimand. An investigatory panel of the District 4 Grievance Committee found that Moses failed to explain a legal matter to the extent reasonably necessary to permit her client to make informed decisions regarding the representation and, with knowledge of misconduct by Moses’ non-lawyer employee, to wit, engaging in conduct involving

misrepresentation, Moses knowingly failed to take reasonable remedial action to avoid or mitigate the consequences of the non-lawyer employee's misconduct.

Moses violated Rules 1.03(b) and 5.03(b)(2). She was ordered to pay \$1,000 in attorneys' fees.

PRIVATE REPRIMANDS

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for three attorneys, with the number in parentheses indicating the frequency of the violation. Please note that an attorney may be reprimanded for more than one rule violation.

1.01(a)—Competent and diligent representation (1).

1.01(b)(1)—In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer (2).

1.03(a)—Failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information (1).

1.03(b)—Communication (1). **TBJ**

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