

**FILED**

AUG 13 2019

Arkansas Supreme Court  
Committee on Professional Conduct

**BEFORE THE DISTRICT 1 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 1-1  
STATE BAR OF TEXAS**

COMMISSION FOR LAWYER §  
DISCIPLINE, §  
Petitioner §  
V. §  
THOMAS HENRY JOHNSON, §  
Respondent ABN: 92249 §

CPC No. 2019-028

CASE NO. 201601118

**AGREED JUDGMENT OF FULLY PROBATED SUSPENSION**

**Parties and Appearance**

On this date, came to be heard the above-styled and numbered cause. Petitioner, Commission for Lawyer Discipline ("Petitioner") and **THOMAS HENRY JOHNSON** ("Respondent"), Texas Bar Number **00796069**, announce that an agreement has been reached on all matters including the imposition of a Probated Suspension.

**Jurisdiction and Venue**

The Evidentiary Panel 1-1, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 1, finds that it has jurisdiction over the parties and the subject matter of this action, and that venue is proper.

**Professional Misconduct**

The Evidentiary Panel, having considered the pleadings, admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.

**Findings of Fact**

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Evidentiary Panel finds:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains his principal place of practice in Collin County, Texas.
3. On August 21, 2013, Complainant Jonathan Nunn ("Nunn") hired Respondent to defend him in two civil matters.
4. Respondent neglected the legal matters entrusted to him by failing to file responses to the Motions for Summary Judgment that were filed in each case.
5. On March 17, 2014, summary judgment was granted against Nunn in the first case and Respondent failed to notify Nunn of the judgment.
6. On April 3, 2015, an Agreed Judgment was entered in the second case. Nunn was not aware of the Agreed Judgment and did not authorize Respondent to enter into the Agreed Judgment. Respondent failed to abide by Nunn's decision whether to accept an offer of settlement in that matter.
7. Respondent failed to keep Nunn reasonably informed about the status of his civil matters.
8. Respondent failed to promptly comply with reasonable requests for information from Nunn about his civil matters.
9. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorney's fees and direct expenses associated with this Disciplinary Proceeding in the amount of One Thousand Six Hundred Seventy-One Dollars and No Cents (\$1,671.00).

#### **Conclusions of Law**

Petitioner and Respondent agree that, based on the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated. Accordingly, the Evidentiary Panel concludes that the following Texas Disciplinary Rules of Professional Conduct have been violated: Rules 1.01(b)(1), 1.02(a)(2) and 1.03(a).

### Sanction

It is **AGREED** and **ORDERED** that the sanction of a Probated Suspension shall be imposed against Respondent in accordance with the Texas Rules of Disciplinary Procedure.

Accordingly, It is **ORDERED, ADJUDGED** and **DECREEED** that Respondent be suspended from the practice of law for a period of twelve (12) months, with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on April 15, 2018, and shall end on April 14, 2019.

### Terms of Probation

It is further **AGREED** and **ORDERED** that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses and telephone numbers.
5. In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete nine (9) additional hours of Continuing Legal Education (CLE) in the area of law office management. These additional hours of CLE are to be completed between April 15, 2018 and January 15, 2019. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Suite 200, Austin, TX 78701).
6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.

7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
8. Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of One Thousand Six Hundred Seventy-One Dollars and No Cents (\$1,671.00). The payment shall be due and payable on or before the date this judgment is presented to the Evidentiary Panel for execution and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, 14651 Dallas Parkway, Suite 925, Dallas, Texas 75254.
9. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 877-953-5535, ext. 1334 and Special Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

#### **Probation Revocation**

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.23 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals (BODA) and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further **AGREED** and **ORDERED** that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

**Attorney's Fees and Expenses**

It is further **AGREED** and **ORDERED** Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of One Thousand Six Hundred Seventy-One Dollars and No Cents (\$1,671.00). The payment shall be due and payable on or before the date this judgment is presented to the Evidentiary Panel, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, 14651 Dallas Parkway, Suite 925, Dallas, Texas 75254.

It is further **AGREED** and **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(Z) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

**Publication**

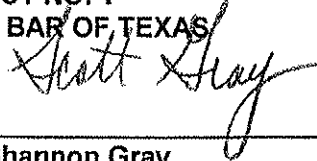
This suspension shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

**Other Relief**

All requested relief not expressly granted herein is expressly DENIED.


SIGNED this 17th day of April, 2018.

EVIDENTIARY PANEL 1-1  
DISTRICT NO. 1  
STATE BAR OF TEXAS

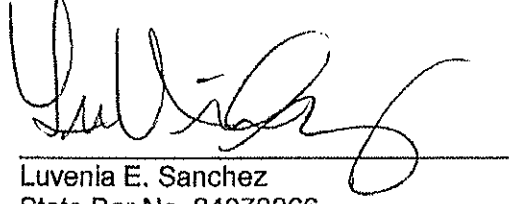


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Scott Shannon Gray  
District 1, Panel 1-1 Presiding Member

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



\_\_\_\_\_  
Thomas Henry Johnson  
State Bar No. 00796069  
Respondent



\_\_\_\_\_  
Luvenia E. Sanchez  
State Bar No. 24079266  
Counsel for Petitioner

# STATE BAR OF TEXAS



Received

APR 23 2018

Arkansas Supreme Court  
Committee on Professional Conduct

*Office of the Chief Disciplinary Counsel*

April 13, 2018

Arkansas Justice Building  
625 Marshal Street  
Little Rock, AR 72201

**Re: Mr. Thomas Henry Johnson, State Bar Number 00796069**

ABN: 92249

To Whom It May Concern:

Enclosed for your information is a Judgment of Fully Probated Suspension that has been entered against the law license of Mr. Thomas Henry Johnson, State Bar Number 00796069, on April 12, 2018.

Please feel free to contact our office if you have any questions.

Sincerely,

Luvenia Evelt Sanchez  
Administrative Attorney

LES/ml

Enclosure: Copy of Final Judgment

cc: Thomas Henry Johnson