

ORDER OF THE SUPREME COURT OF TEXAS

MISC. DOCKET NO. 02- 2040

IN THE MATTER OF DEIRDRE S. STERLING

On this day, the Court considered the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Deirdre S. Sterling, together with the Response of the Chief Disciplinary Counsel to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Deirdre S. Sterling. The Court has reviewed said Motion and Response and finds that each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. In conformity with Part X, Section 10.02 of the Texas Rules of Disciplinary Procedure, the Court considers the detailed statement of professional misconduct contained within the Response of Chief Disciplinary Counsel to be deemed conclusively established for all purposes. The Court finds that Deirdre S. Sterling is resigning in lieu of discipline. The Court, being advised that the acceptance of the resignation is in the best interest of the public and the profession, hereby concludes that the following Order is appropriate.

IT IS ORDERED that the law license of Deirdre S. Sterling of Lubbock, Texas, State Bar card number 90001514, which was previously issued by this Court, be canceled and her name be dropped and deleted from the list of persons licensed to practice law in Texas.

IT IS FURTHER ORDERED that Deirdre S. Sterling immediately surrender her State Bar Card and Texas law license to the Clerk of the Supreme Court of Texas or file with the Court an affidavit stating the cause of her inability to do so.

IT IS FURTHER ORDERED that Deirdre S. Sterling is permanently enjoined and prohibited from practicing law in the State of Texas, holding herself out as an attorney at law,

performing legal services for others, giving legal advice to 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 (whether state, county, municipal or other), or holding herself out to others or using her name in any manner in conjunction with the words Attorney at Law, Counselor at Law, or Lawyer.

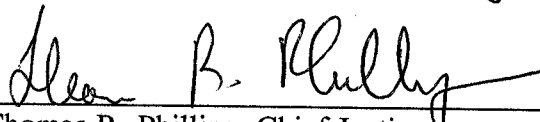
IT IS FURTHER ORDERED that Deirdre S. Sterling shall immediately notify each of her current clients in writing of this resignation. In addition to such notification, Deirdre S. Sterling is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients and former clients in her possession to the respective clients or former clients or to another attorney at the clients or former clients request. Deirdre S. Sterling is **ORDERED** to file with the State Bar of Texas, 6100 S.W. Blvd., Suite 320, Fort Worth, Texas 76109, within thirty (30) days of the date of the effective date of this Order an affidavit stating that all current clients have been notified of her resignation and that all files, papers, monies and other property belonging to all clients and former clients have been returned as ordered herein.


IT IS FURTHER ORDERED that Deirdre S. Sterling shall, within thirty (30) days after the date on which this Order is signed by the Court, notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Deirdre S. Sterling has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Deirdre S. Sterling is representing in Court. Deirdre S. Sterling is **ORDERED** to file with the State Bar of Texas, 6100 S.W. Blvd., Ste 320, Fort Worth, Texas 76109, within thirty (30) days of the date of the effective date of this Order an affidavit stating that she has notified in writing each and every justice of the

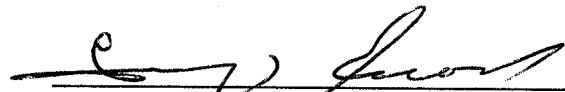
peace, judge, magistrate, and chief justice of each and every court in which she has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) she is representing in Court.

IT IS FURTHER ORDERED that Deirdre S. Sterling shall make restitution to Michelle Prater in the amount of One Thousand Six Hundred (\$1,600.00) Dollars by cashiers check or money order made payable to Maria Villanueva and delivered by certified mail, return receipt requested, to the Office of the Chief Disciplinary Counsel, State Bar of Texas, 6100 S.W. Blvd., Ste 320, Fort Worth, Texas 76109, as an absolute condition precedent to making application for reinstatement for admission to the State Bar of Texas.

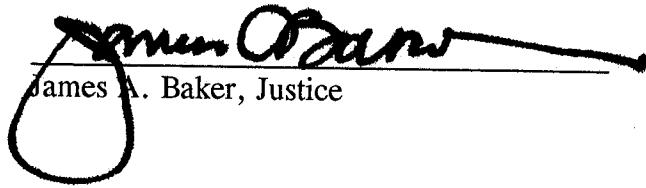
By the Court, en banc, in chambers, this the 25th day of February 2002.

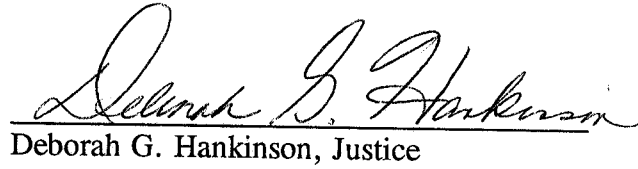

Thomas R. Phillips, Chief Justice

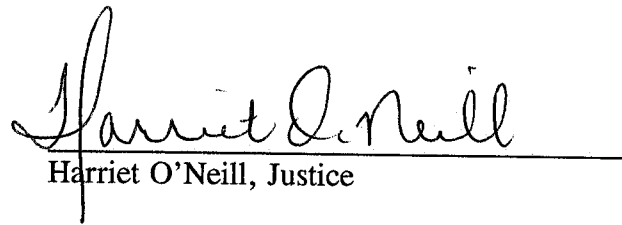

Nathan L. Hecht, Justice

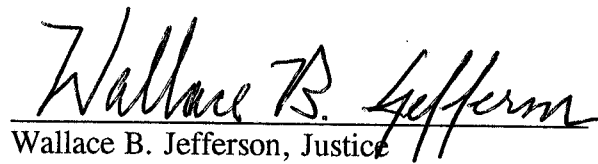

Craig T. Enoch, Justice

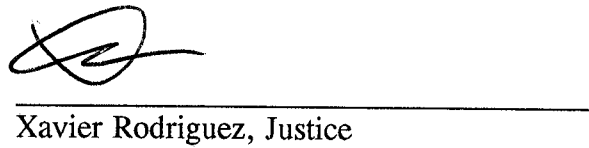

Priscilla R. Owen, Justice


James A. Baker, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Wallace B. Jefferson, Justice


Xavier Rodriguez, Justice

**IN THE SUPREME COURT OF TEXAS
RESPONSE OF THE CHIEF DISCIPLINARY COUNSEL
OF THE STATE BAR OF TEXAS
REGARDING
DEIRDRE S. STERLING**

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Sylvia Blake-Larson, Regional Counsel of the State Bar of Texas, in accordance with Part X of the Texas Rules of Disciplinary Procedure, hereby file a response on behalf of the State Bar of Texas, acting by and through the Commission for Lawyer Discipline, to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Deirdre S. Sterling, bar number 90001514, dated on or about January 15, 2002, and received by the Office of the Chief Disciplinary Counsel on or about January 16, 2002. The acceptance of the resignation of Deirdre S. Sterling (hereinafter referred to as "Sterling") is in the best interests of the public and the profession.

The following disciplinary actions are currently pending against Sterling in the State Bar of Texas Evidentiary process. The professional misconduct with which Sterling is charged in the Evidentiary process is as follows:

F2020103046

Sterling was retained by Michelle Prater (hereinafter referred to as "Complainant") in or around September 1999, in an effort to regain custody of her children. Complainant paid Sterling \$1,600.00 for the representation. Sterling failed to do any meaningful work on the Complainant's case. Sterling failed to respond to requests for information from the Complainant. Sterling failed to return phone calls from the Complainant. Sterling closed her law office and relocated in a

different town, without notifying the Complainant. Sterling did not return any of the fees paid to her, despite the fact that she did not do any work on the Complainant's case. Sterling was properly notified of the complaint by certified mail, but failed to respond or assert any grounds for the failure to respond.

The above facts support a violation of Rules 1.01(a), 1.01(b), 1.03(a), 1.03(b), 1.15(d), 8.04(a)(1) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

F2040103105

Sterling was retained to represent Charles Timms (hereinafter referred to as "Complainant"), on or about August 25, 1999, in an action against Lubbock County for a false arrest. Sterling was to receive thirty (30%) of the total award when the case was settled. Sterling failed to take any meaningful action or file the lawsuit on behalf of the Complainant. Sterling failed to respond to requests for information from the Complainant. Sterling was properly notified of the complaint by certified mail, but failed to respond or assert any grounds for the failure to respond.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2), 1.01(c), 1.03(a), 1.03(b), 8.04(a)(1) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

F201002717

Sterling was retained to represent Maria Villanueva (hereinafter referred to as "Complainant") on or about October 1, 1999, in a divorce case. Complainant paid Sterling a retainer fee in the amount of \$500.00. Sterling neglected the legal matter entrusted to her when she failed to provide any meaningful legal service to the Complainant. Sterling moved her office and did not advise the Complainant of the change of address and telephone number. Sterling

failed to respond to requests for information and did not communicate with the Complainant to the extent necessary to allow the Complainant to make informed decisions about the representation. Sterling failed to refund the unearned fees, at the conclusion of the representation.

The above facts support a violation of Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

F2030002778

Sterling was hired by Janice Sherrod (hereinafter referred to as "Complainant") on or about April 28, 1999, to help the Complainant obtain custody of her granddaughter. Sterling was paid a retainer fee of \$500.00. The Complainant called Sterling to discuss the progression of the case, leaving many messages. The Complainant went to Sterling's office, where Sterling told the Complainant that a court date would be set. Sterling failed to request a trial setting for the case. Sterling failed to provide any meaningful work on the Complainant's case. Sterling closed her office without informing the Complainant of the change of location or telephone number. Upon the conclusion of the representation, Sterling failed to return the Complainant's file to the Complainant.

The above facts support a violation of Rules 1.01(b)(1), 1.03(b), 1.15(d), 8.04(a)(1) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

F2030002793

Sterling was hired by Karen Heggins (hereinafter referred to as "Complainant") in or around July 1999, to represent her in a civil matter involving a mobile home the Complainant lived in. The Complainant paid Sterling a retainer fee in the amount of \$300.00. Sterling neglected the legal matter entrusted to her by failing to timely file an appeal on behalf of the

Complainant. Sterling failed to keep the Complainant notified of the status of her case and failed to notify the Complainant of any court dates.

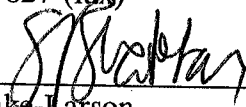
The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2), 1.03(a) and 1.03(b) of the Texas Disciplinary Rules of Professional Conduct.

In view of Deirdre S. Sterling's execution on or about January 15, 2002, of her Resignation as an attorney and counselor at law, and in anticipation of the Court's acceptance of same, the Chief Disciplinary Counsel does not anticipate going forward with the pending proceedings in any Evidentiary hearing and intends to dismiss the complaints and disciplinary actions upon entry of Order by the Supreme Court of Texas deleting Deirdre S. Sterling from the list of persons licensed to practice law in the State of Texas.

Respectfully submitted,

Dawn Miller
Chief Disciplinary Counsel


Sylvia Blake Larson
Regional Counsel
Office of the Chief Disciplinary Counsel
STATE BAR OF TEXAS
6100 S.W. Blvd., Ste 320
Fort Worth, Texas 76109
817/763-8066
817/763-5827 (fax)



Sylvia Blake Larson
State Bar Card No. 02426500

CERTIFICATE OF SERVICE

A true and correct copy of this Response of the Chief Disciplinary Counsel of the State Bar of Texas Regarding Deirdre S. Sterling has on this 22 day of JANUARY, 2002, been mailed to Deirdre S. Sterling at 8204 Joliet, Lubbock, Texas 79423, by certified mail, return receipt requested.



Sylvia Blake-Larson
State Bar Card No. 02426500

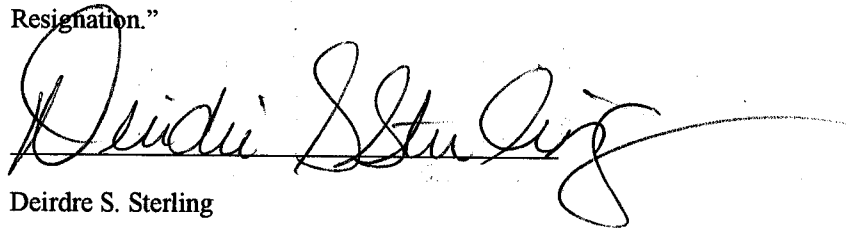
STATE OF TEXAS X
 X
COUNTY OF LUBBOCK X

AFFIDAVIT

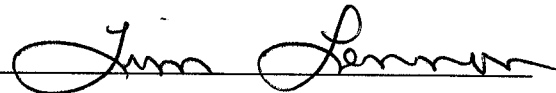
On this the 15th day of January 2002, personally appeared before me, the undersigned authority, Deirdre S. Sterling, who after being duly sworn, did state upon her oath:

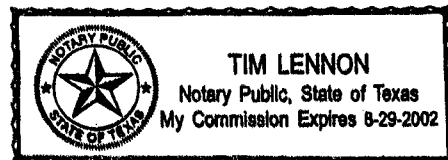
“My name is Deirdre S. Sterling and I am over the age of eighteen years and competent to make this affidavit in all respects.

I am an attorney and counselor licensed in the State of Texas, Texas Bar Card No. 90001514. I am fully competent to make this affidavit. I am resigning as an attorney and counselor at Law in the State of Texas. Pursuant to my resignation as an attorney, I must surrender my License and State Bar Card issued by the Supreme Court of Texas. I state by way of this affidavit that I cannot locate my (State Bar Card or State Bar License), and that I am unable to surrender it along with My Motion for Acceptance of Resignation.”


Deirdre S. Sterling

SWORN TO AND SUBSCRIBED BEFORE ME this the 15th day of January,
2002.

Notary Public in and for the State of Texas 



IN THE SUPREME COURT OF TEXAS
MOTION FOR ACCEPTANCE OF RESIGNATION AS
ATTORNEY AND COUNSELOR AT LAW

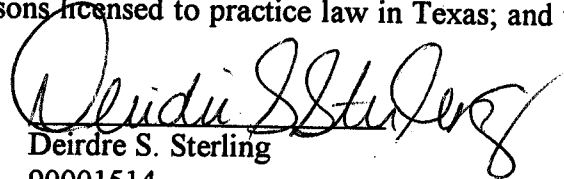
OF

Deirdre S. Sterling

NOW COMES your Applicant, Deirdre S. Sterling and hereby resigns as an Attorney and Counselor at Law in the State of Texas; and hereby submits to the Court her resignation as an Attorney and Counselor at Law; and prays that the Court accept said resignation.

Attached hereto is the License and permanent State Bar card issued by this Court to the Applicant, Deirdre S. Sterling as an Attorney and Counselor at Law on November 7, 1997. Said License and permanent State Bar card are hereby surrendered by the Applicant.

Your applicant is voluntarily resigning and withdrawing from the practice of law; Applicant does so in lieu of discipline for professional misconduct; and Applicant prays that her name be dropped and deleted from the list of persons licensed to practice law in Texas; and that her resignation be accepted.



Deirdre S. Sterling
90001514

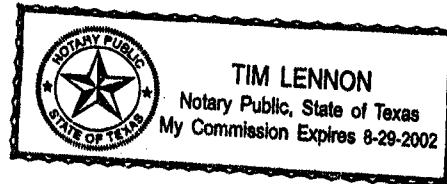
SUBSCRIBED AND SWORN to before me by the said Deirdre S. Sterling this the 15th day of January, 2002.



NOTARY PUBLIC in and for
The State of Texas

Deirdre S. Sterling
8204 Joliet
Lubbock, Texas 79423

CF6-17.PRI



STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

***CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7000 1670 0011 9702 7701***

January 22, 2002

John Adams, Clerk
Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711

Re: Deirdre S. Sterling

Dear Mr. Adams:

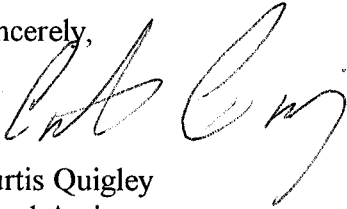
Pursuant to Part X of the Texas Rules of Disciplinary Procedure, please find enclosed herewith the following:

1. Original executed Motion for Acceptance of Resignation as Attorney and Counselor at Law for the above referenced attorney;
2. Original and two (2) copies of the Response of the Chief Disciplinary Counsel to Motion for Acceptance of Resignation as Attorney and Counselor at Law for the above referenced Attorney;
3. Original Order of Resignation for the Court's signature; and
4. Signed and Notorized Affidavit regarding the loss of the Law License and Bar Card for the above referenced attorney.

Pursuant to Rule 10.02 of the Texas Rules of Disciplinary Procedure, the required ten day time frame has passed and above-referenced attorney has made no attempt to withdraw the Motion for Acceptance of Resignation. Therefore, the detailed statement of professional misconduct is deemed to have been conclusively established for all purposes.

Please return a fully executed copy of the Order to our office at your earliest convenience.

Sincerely,



Curtis Quigley
Legal Assistant
Office of the Chief Disciplinary Counsel
State Bar of Texas

Enclosures

cc: Deirdre S. Sterling
8204 Joliet
Lubbock, TX 79423
CM,RRR 7000 1670 0011 9702 7695

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

January 28, 2002

John Adams, Clerk
Supreme Court of Texas
P. O. Box 12248
Austin, Texas 78711

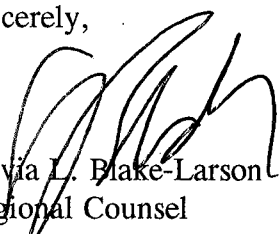
Re: Commission for Lawyer Discipline – Deirdre S. Sterling

Dear Mr. Adams:

Pursuant to our telephone conversation this date I am enclosing Page 4 of our *Order of the Supreme Court of Texas in the Matter of Deirdre S. Sterling*. As you requested, Justice Jefferson's signature line has been corrected to reflect the middle initial "B."

If I can be of any further assistance, please do not hesitate to call.

Sincerely,



Sylvia L. Blake-Larson
Regional Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas

SLB/dld

Enclosure