

ORDER OF THE SUPREME COURT OF TEXAS

MISC. DOCKET NO. 08- 9074

IN THE MATTER OF CARL E. GAINES

On this day, the Court considered the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Carl E. Gaines, together with the Response of the Chief Disciplinary Counsel to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Carl E. Gaines. 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 the Chief Disciplinary Counsel to be deemed conclusively established for all purposes. The Court finds that Carl E. Gaines 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 Carl E. Gaines of Dallas, Texas, State Bar card number 07570500, which was previously issued by this Court, be canceled and his name be dropped and deleted from the list of persons licensed to practice law in Texas.

IT IS FURTHER ORDERED that Carl E. Gaines immediately surrender his 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 his inability to do so.

IT IS FURTHER ORDERED that Carl E. Gaines is permanently enjoined and prohibited from practicing law in the State of Texas, holding himself 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 himself out to others or using his name in any manner in conjunction with the words “Attorney at Law,” “Counselor at Law,” or “Lawyer.”

It is further **ORDERED** that Carl E. Gaines shall immediately notify each of his current clients in writing of this resignation. In addition to such notification, Carl E. Gaines is **ORDERED** to return any files, papers, unearned money, and other property belonging to clients in his possession to the respective clients or to another attorney at the client's request. Carl E. Gaines is **ORDERED** to file with the State Bar of Texas, 6300 La Calma, Suite 300, Austin, Texas 78752, within thirty (30) days of the effective date of this Order an affidavit stating that all current clients have been notified of his resignation and that all files, papers, money, and other property belonging to all clients have been returned as ordered herein.

It is further **ORDERED** that Carl E. Gaines 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 Carl E. Gaines has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name(s), address(es), and telephone number(s) of the client(s) Carl E. Gaines is representing in Court. Carl E. Gaines is **ORDERED** to file with the State Bar of Texas, 6300 La Calma Drive, Suite 300, Austin, Texas 78752, within thirty (30) days of the effective date of this Order 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 he has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name(s), address(es), and telephone number(s) of the client(s) he is representing in Court.

By the Court, en banc, in chambers, this the 11 day of June, 2008.

Wallace B. Jefferson
Wallace B. Jefferson, Chief Justice

Nathan L. Hecht
Nathan L. Hecht, Justice

Harriet O'Neill
Harriet O'Neill, Justice

J. Dale Wainwright
J. Dale Wainwright, Justice

Scott A. Brister
Scott A. Brister, Justice

David Medina
David Medina, Justice

Paul W. Green
Paul W. Green, Justice

Phil Johnson
Phil Johnson, Justice

Don R. Willett
Don R. Willett, Justice