

IN THE
SUPREME COURT OF TEXAS
IN THE MATTER OF
JOHN C. WHITMIRE
MISC. DOCKET NO. 92- 0091

ORDER

On this day, the Court considered the Motion for Acceptance of Resignation as Attorney and Counselor at Law of John C. Whitmire, together with the Concurring Motion of the Grievance Committee for State Bar District Number 15-C, State Bar of Texas, and the Certification of the General Counsel of the State Bar of Texas. The Court has reviewed said Motions and Certification and finds each to be legally sufficient. The Court, being advised that such resignation is tendered in lieu of disciplinary action, and being of the opinion that such resignation is in the public interest and will meet the ends of justice, hereby concludes that the following order is appropriate.

It is ORDERED that the Law License of John C. Whitmire of Comal County, Texas, State Bar Card No. 21380500, heretofore issued by this Court, be cancelled and his name be dropped and deleted from the list of persons licensed to practice law in Texas, and that he shall hereafter exercise none of the privileges and prerogatives of the office of an attorney at law. Respondent, John C. Whitmire, is hereby permanently prohibited, effective immediately, from practicing law in Texas, holding himself out as an attorney at law, performing any legal service 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

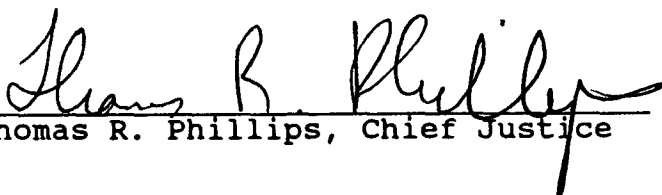
body, or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

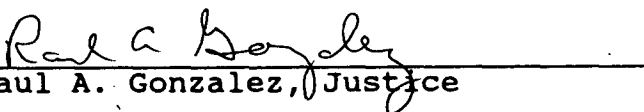
It is further ORDERED that Respondent, John C. Whitmire, not later than June 15, 1992, shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which the Respondent has any legal matter pending of his resignation in lieu of discipline, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notification to the Office of the General Counsel, State Bar of Texas, P.O. box 12487, Capitol Station, Austin, Texas 78711.

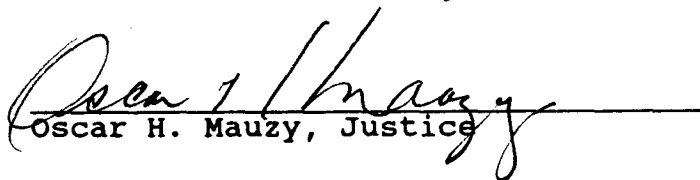
It is further ORDERED that Respondent, John C. Whitmire, shall immediately notify each of his current clients, in writing, of his resignation in lieu of discipline. In addition, to such notification, Respondent is ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former clients, to those respective clients or former clients within thirty (30) days after the date on which this Judgment is signed by the Court. Respondent is further ORDERED to file with the Office of the General Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating that all current clients have been notified of his resignation in lieu of discipline and that all files, papers, unearned fees paid

in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, papers, money or other property. Respondent is also ORDERED to mail a copy of all notification letters to clients, in addition to said affidavits, to the Office of the General Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

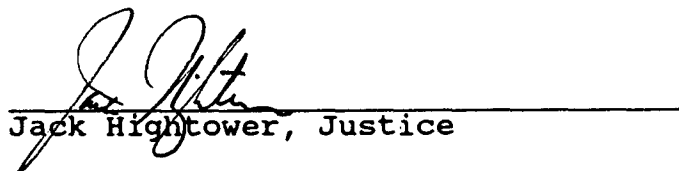
By the Court, en banc, in chambers, on this 30th day of June, 1992.

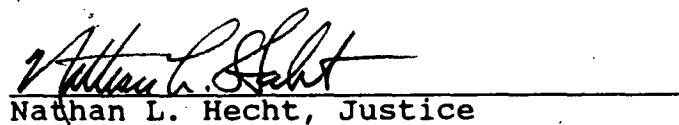

Thomas R. Phillips, Chief Justice

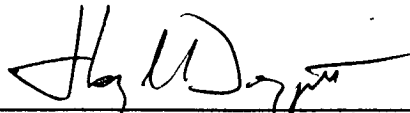

Raul A. Gonzalez, Justice

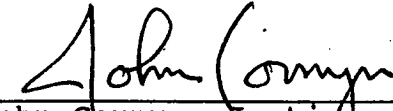

Oscar H. Mauzy, Justice

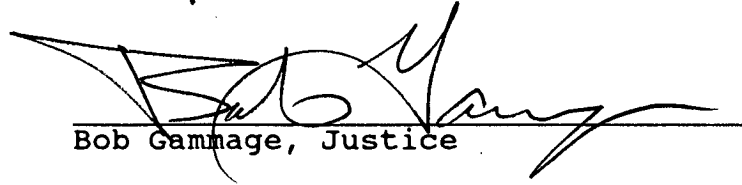

Eugene Cook, Justice


Jack Hightower, Justice


Nathan L. Hecht, Justice


Lloyd Doggett, Justice


John Cornyn, Justice


Bob Gammage, Justice