

IN THE SUPREME COURT OF TEXAS
IN THE MATTER OF
BILLY R. WILDER

0022

Misc. Docket No. 93- _____

ORDER


On this day came on for consideration the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Billy R. Wilder, together with the Response of the Chief Disciplinary Counsel. The Court has reviewed said Motion and Response and finds each to be legally sufficient. Based on said Motion and Response, being advised that such resignation is tendered in lieu of disciplinary sanction, 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 Billy R. Wilder of Rusk County, Texas, State Bar Card No. 21462000, 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.

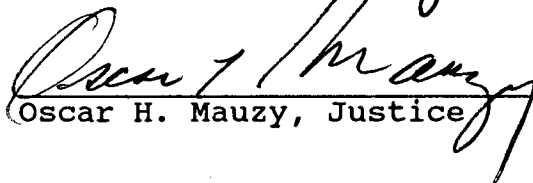
By the Court, en banc, in chambers, on this 27th day of October, 1992.



Thomas R. Phillips, Chief Justice

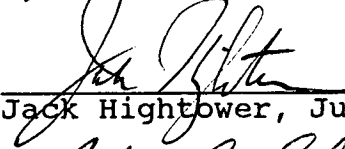



Raul A. Gonzalez, Justice

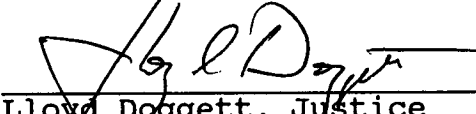



Oscar H. Mauzy, Justice


Eugene Cook, Justice


Jack Hightower, Justice


Nathan L. Hecht, Justice


Lloyd Doggett, Justice


John Cornyn, Justice


Bob Gammage, Justice

STATE BAR OF TEXAS



Office of the General Counsel

October 9, 1992

Mr. John T. Adams, Clerk
Supreme Court of Texas
Price Daniel Sr. Building
Austin, TX 78711

Re: No. 21462000
Billy R. Wilder, Resignation

Dear Mr. Adams:

Enclosed are the following concerning the referenced attorney:

- 1) MOTION FOR ACCEPTANCE OF RESIGNATION
- 2) RESPONSE OF CHIEF DISCIPLINARY COUNSEL, STATE BAR OF TEXAS
- 3) PROPOSED COURT ORDER (2 COPIES)
- 4) LAW LICENSE (ISSUED DECEMBER 1, 1959) AND STATE BAR CARD (NO. 21462000).

I will appreciate your bringing this to the Court's attention. Please return a signed original Court Order when the Court has signed it.

Sincerely,

A handwritten signature in cursive script that reads "Russell A. Friemel".

Russell A. Friemel
Assistant General Counsel

tjm/enclosures

xc: Mr. Billy R. Wilder, P.O. Box 1108, Henderson, TX 75652
(with enclosures) CMRRR #P 384 382 984

IN THE SUPREME COURT OF THE STATE OF TEXAS
RESPONSE OF THE CHIEF DISCIPLINARY COUNSEL TO
THE MOTION FOR ACCEPTANCE OF RESIGNATION
AS ATTORNEY AND COUNSELOR AT LAW OF
BILLY R. WILDER

TO THE HONORABLE SUPREME COURT OF TEXAS:

COMES NOW the Chief Disciplinary Counsel of the State Bar of Texas, acting through the Texas Commission for Lawyer Discipline, and moves the Court to accept the resignation of Billy R. Wilder as Attorney and Counselor at Law, showing the Court:

I.

On or about July 28, 1992, in the United States District Court for the Eastern District of Texas, Tyler Division, in Criminal Case Number 6:90cr13(1), styled United States of America v. Bill Wilder, Respondent, Billy R. Wilder, pled guilty to violations of the United States Code which were felonies involving moral turpitude, to wit: conspiracy to defraud Federal Home Loan Bank Board and savings and loan fraud as charged therein. Respondent was sentenced to a seventy-one (71) month term at the Federal Correctional Institution at Fort Worth, Texas.

II.

Counsel would respectfully show that the conduct as described above constitutes an "intentional crime," as defined in Rule 1.06(0) of the Texas Rules of Disciplinary Procedure. The acts of Respondent for which he was convicted constitute Professional Misconduct as defined in Rule 1.06(Q)(8) and (9), Texas Rules of Disciplinary Procedure, and violation of Texas Disciplinary Rules

of Professional Conduct, Rule 8.04(a)(2).

III.

Counsel would respectfully show that as a matter of law, pursuant to Rule 8.05, Texas Rules of Disciplinary Procedure, an order of disbarment may be entered on proof of a final conviction of an Intentional Crime.

IV.

Counsel would respectfully show that on or about July 30, 1992, Billy R. Wilder delivered his resignation in lieu of disciplinary sanction to the Office of General Counsel for submission to this Court. Acceptance of the resignation is in the best interest of the public and the profession. Movant's law license and State Bar Card (No. 21462000) have also been surrendered and are submitted to the Court with this Response.

Counsel prays that the Court accept the resignation of Billy R. Wilder as Attorney and Counselor at Law and drop his name from the list of persons licensed to practice in the state of Texas.

Respectfully submitted,

James M. McCormack
General Counsel

Russell A. Friemel
Assistant General Counsel

Office of the General Counsel
State Bar of Texas
P.O. Box 12487, Capitol Station
Austin, TX 78711
(512) 463-1381/ FAX: (512) 477-4607

Russell A. Friemel

By: Russell A. Friemel
State Bar Card No. 07473500

ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

This is to certify that the above and foregoing Response Of Chief Disciplinary Counsel has been served on Billy R. Wilder, P.O. Box 1108, Henderson, Texas 75652, by delivery of a true copy to him by certified mail, return receipt requested, by depositing same, enclosed in a postpaid, properly addressed wrapper in an official depository under the care and custody of the United States Postal Service on the 9th day of October, 1992.

Russell A. Friemel

Russell A. Friemel

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

OF

BILLY R. WILDER

TO THE HONORABLE SUPREME COURT OF TEXAS:

Movant, Billy R. Wilder, moves the Court to accept his resignation as an Attorney and Counselor at Law, showing the Court:

I.

Movant hereby resigns as an Attorney and Counselor at Law in lieu of disciplinary sanction for having committed professional misconduct.

II.


Movant will surrender his License and permanent State Bar Card issued by the Court on _____.

III.

Movant's State Bar Card number is 21462000. Movant's current address is P. O. Box 1108, Henderson, Texas 75652.

Movant prays that the Court accept his resignation as an Attorney and Counselor at Law and drop his name from the list of persons licensed to practice law in the State of Texas.

Respectfully submitted,



Billy R. Wilder
Movant
SBC: 21462000

THE STATE OF TEXAS

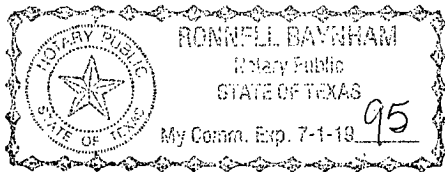
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COUNTY OF

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Billy R. Wilder, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER my hand and seal of office this 30th day of July, 1992.

Ronnell Baynham
NOTARY PUBLIC in and for
the State of Texas



Ronnell Baynham
Printed Name of Notary

Commission Expires: 7-1-95