

IN THE SUPREME COURT OF TEXAS

MISC. DOCKET NO. 96- 9251

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VOLUNTARY RESIGNATION OF ATTORNEYS

ORDER

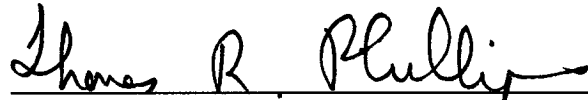
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On this day the Court considered the Affidavits of Voluntary Resignation of the following named attorneys and the Certifications of the General Counsel of the State Bar of Texas. The Court has reviewed said Affidavits and Certifications and finds each to be legally sufficient. The Court, being advised that such resignations are not tendered in lieu of disciplinary action, hereby concludes that the following order is appropriate. The attorneys are:

| <u>NAME</u>          | <u>BAR NUMBER</u> | <u>RESIDENCE</u>   |
|----------------------|-------------------|--------------------|
| Alan M. Applegate    | 01279550          | Jeffersonville, IN |
| Elvir A. Fay         | 06868800          | Philadelphia, PA   |
| Ana Maria Soares     | 18819200          | Sacramento, CA     |
| Theresa A. H. Waller | 20785900          | Greenville, SC     |
| Diane P. Wood        | 21887600          | Chicago, IL        |
| Ellen Jane Wynegar   | 22100400          | Richmond, IN       |

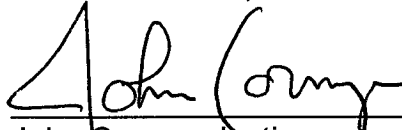
IT IS ORDERED that the law licenses and Bar Card Numbers of the above named attorneys, heretofore issued by this Court, be cancelled and their names be dropped and deleted from the list of persons licensed to practice law in Texas.

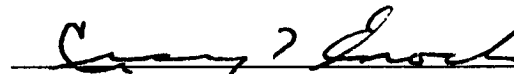
SIGNED AND ENTERED this 6<sup>th</sup> day of December, 1996.

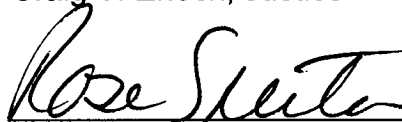
  
Thomas R. Phillips, Chief Justice

  
Raul A. Gonzalez, Justice

  
Nathan L. Hecht, Justice

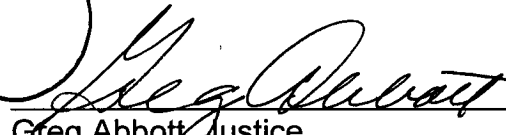
  
John Cornyn, Justice

  
Craig T. Enoch, Justice

  
Rose Spector, Justice

  
Priscilla R. Owen, Justice

  
James A. Baker, Justice

  
Greg Abbott, Justice

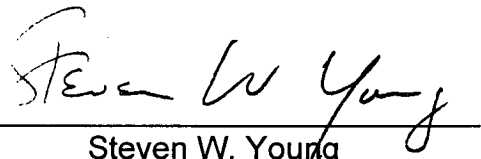
IN THE SUPREME COURT OF TEXAS  
CERTIFICATION OF THE GENERAL COUNSEL  
OF THE STATE BAR OF TEXAS  
REGARDING

**Alan M. Applegate**  
**# 01279550**

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Steven W. Young, General Counsel of the State Bar of Texas, in accordance with the State Bar Rules, Art. III, Section 6(B), hereby certify that there is currently no disciplinary action pending against **Alan M. Applegate**, nor is **Alan M. Applegate** the subject of an investigation for professional misconduct at this time.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steven W. Young". The signature is written in black ink and is positioned above a horizontal line.

Steven W. Young  
General Counsel

**Alan M. Applegate**  
Attorney at Law

Of Counsel:

Ronald R. Fifer

420 Wall Street

P.O. Box 1418

Jeffersonville, IN 47131-1418

Telephone: (812) 284-1446

Facsimile: (812) 284-6450

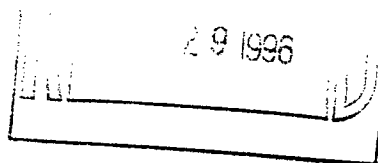
Direct Line: (812) 284-9499

Licensed in:

Indiana, Kentucky,  
Florida and Texas

May 15, 1996

State Bar of Texas  
Office of General Counsel  
P. O. Box 12487  
Capital Station  
Austin, Texas 78711



Re: Resignation of Alan M. Applegate; I.D. No. 01279550

To Whom it May Concern:

Please be advised that I wish to voluntarily relinquish my license to practice law in the State of Texas. I now reside in Jeffersonville, Indiana and am currently licensed to practice in Indiana, Kentucky and Florida and am in good standing in those states. I no longer wish to remain licensed in Texas because I do not intend to move back to the state.

This request is voluntary and I have never been subject to any disciplinary action in any state in which I have been license to practice law.

I enclose herewith my original law license as well as my current bar card. I am sorry about the matting on my license but I could not remove it without destroying my license.

If you have any questions regarding the foregoing, please do not hesitate to contact the undersigned. Upon notice of your acceptance of my resignation, I will revise my letterhead to remove any reference to the State of Texas.

Very Truly Yours,

Alan M. Applegate

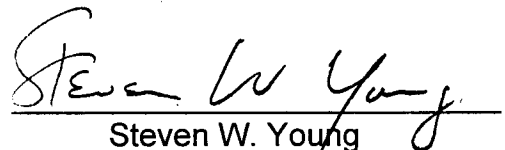
IN THE SUPREME COURT OF TEXAS  
CERTIFICATION OF THE GENERAL COUNSEL  
OF THE STATE BAR OF TEXAS  
REGARDING

**Elvir A. Fay**  
**# 06868800**

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Steven W. Young, General Counsel of the State Bar of Texas, in accordance with the State Bar Rules, Art. III, Section 6(B), hereby certify that there is currently no disciplinary action pending against **Elvir A. Fay**, nor is **Elvir A. Fay** the subject of an investigation for professional misconduct at this time.

Respectfully submitted,

  
Steven W. Young  
General Counsel

Elvir Fay  
Deputy Group Counsel

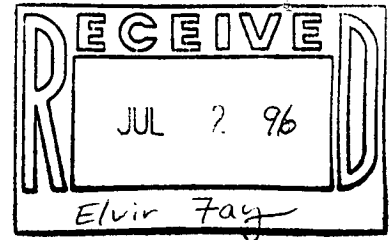
Boeing Defense & Space Group  
P.O. Box 16858, MS P31-60  
Philadelphia, PA 19142-0858

✓

June 27, 1996

**BOEING**


Fernando Guerrero, Jr.  
Membership Department  
The Supreme Court of Texas  
P.O. Box 12487  
Austin, Texas 78711-2487



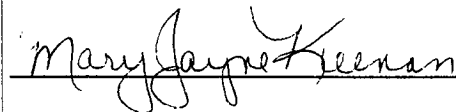
Dear Sir:

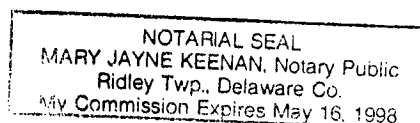
Pursuant to your letter of May 31, 1996, I am informing you that I am retiring from the practice of law and that I do not intend to remain on the inactive rolls. The purpose of my resignation is not to avoid disciplinary action and I have no knowledge of any allegations of professional misconduct.

I hereby surrender the enclosed "State Bar of Texas Inactive Member" card. I have no knowledge of ever receiving a Law License from the Supreme Court of Texas. I have not displayed Law Licenses or Certificates in my office for over twenty years. I am unable to find any other Law Licenses or Law Certificates issued to me by the Supreme Court of Texas.

  
Elvir A. Fay

Subscribed and sworn to before me this 27th day of June 1996.





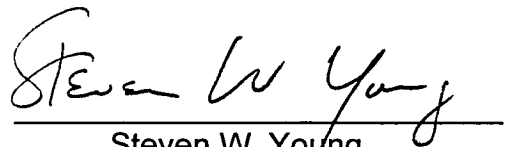
IN THE SUPREME COURT OF TEXAS  
CERTIFICATION OF THE GENERAL COUNSEL  
OF THE STATE BAR OF TEXAS  
REGARDING

**Ana Maria Soares**  
**# 18819200**

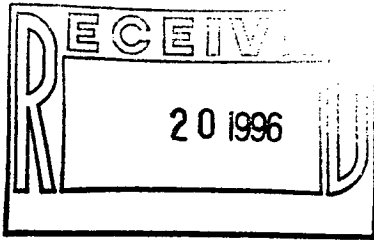
TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Steven W. Young, General Counsel of the State Bar of Texas, in accordance with the State Bar Rules, Art. III, Section 6(B), hereby certify that there is currently no disciplinary action pending against **Ana Maria Soares**, nor is **Ana Maria Soares** the subject of an investigation for professional misconduct at this time.

Respectfully submitted,

  
\_\_\_\_\_  
Steven W. Young  
General Counsel

Ana Maria Soares  
4933 Willard Ave.,  
Sacramento, CA 95838  
May 13, 1996



State Bar of Texas  
Membership Dept.  
POB 13007  
Austin, TX 78711-3007

Re: Application of Ana Maria Soares to Withdraw from the Texas Bar. State Bar Number 18819200.

Dear Sir/Ms:

Please accept the enclosed affidavit to close my membership in the State Bar of Texas. I cannot find my bar card or Texas Bar Certificate to return to you.

STATE OF CALIFORNIA )  
COUNTY OF SACRAMENTO )

AFFIDAVIT

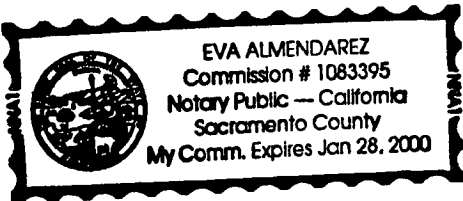
I, Ana Maria Soares, Texas State Bar Number 18819200, do declare that it is my expressed desire to terminate my membership in the State Bar of Texas. I do this freely and voluntarily and not under any threat of any disciplinary action. Nor have any complaints ever been levelled against me and there are no foreseeable complaints. My intention in terminating my membership in the State Bar of Texas is to free me from any obligation to pay continued Bar dues and the necessity of maintaining MCLE compliance with Texas. I would like my membership to terminate immediately.

Declared true and correct under penalty of perjury.

Ana Soares  
Ana Maria Soares  
TX Bar No. 18819200

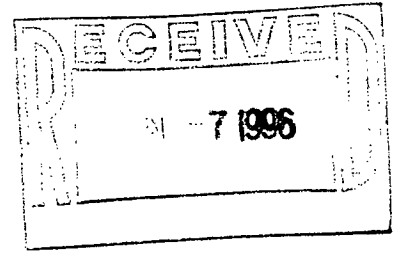
Sworn to and subscribed before me this 13 day of May, 1996.

Eva Almendarez  
Notary Public, State of California





Ana Maria Soares  
4933 Willard Ave.,  
Sacramento, CA 95838  
June 4, 1996.



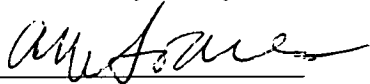
Fernando Guerrero Jr.,  
Office Manager  
Membership Dept.  
State Bar of Texas  
POB 12487  
Austin, TX 78711-2487

Re: Supplement to May 13, 1996 Affidavit of Ana Maria Soares Withdrawing from the State Bar; Texas Bar No. 18819200.


STATE OF CALIFORNIA            )  
COUNTY OF SACRAMENTO        )

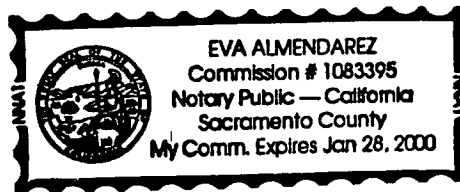
AFFIDAVIT

I, Ana Maria Soares, have surrendered all Bar cards, all law licenses, and all certificates issued to me by the Supreme Court of Texas that are in my possession. The aforementioned have been lost or destroyed in previous relocations.

  
\_\_\_\_\_  
Ana Maria Soares, 18819200

Sworn to and subscribed to before me this 6 day of June, 1996.

  
\_\_\_\_\_  
Notary Public,  
State of California



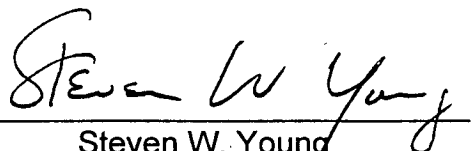
IN THE SUPREME COURT OF TEXAS  
CERTIFICATION OF THE GENERAL COUNSEL  
OF THE STATE BAR OF TEXAS  
REGARDING

**Theresa A. H. Waller**  
**# 20785900**

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Steven W. Young, General Counsel of the State Bar of Texas, in accordance with the State Bar Rules, Art. III, Section 6(B), hereby certify that there is currently no disciplinary action pending against **Theresa A. Waller**, nor is **Theresa A. Waller** the subject of an investigation for professional misconduct at this time.

Respectfully submitted,

  
\_\_\_\_\_  
Steven W. Young  
General Counsel





TO:

FROM:

*Theresa Horton Waller, P.A.*

Attorney at Law

State Bar of Texas  
Membership Department  
ATTN: Fernando Guerrero, Jr.  
P. O. Box 12487  
Austin, TX 78711-2487

Post Office Box 10327  
Greenville, SC 29603  
Phone: (803) 242-4221 Fax: (803) 271-2114

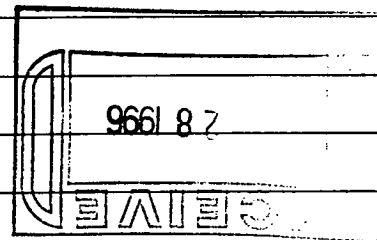
SUBJECT:

DATE: 6 / 24 / 96

Enclosed please find two original Affidavits declaring my  
resignation as a member of the State Bar of Texas. I have  
also enclosed my State Bar Card and certificate. If you  
need any additional information, please do not hesitate to  
contact me.

Cordially,

Theresa A. Horton/sjr



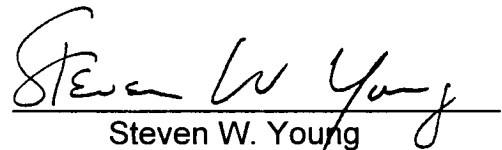
IN THE SUPREME COURT OF TEXAS  
CERTIFICATION OF THE GENERAL COUNSEL  
OF THE STATE BAR OF TEXAS  
REGARDING

**Diane P. Wood**  
**# 21887600**

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Steven W. Young, General Counsel of the State Bar of Texas, in accordance with the State Bar Rules, Art. III, Section 6(B), hereby certify that there is currently no disciplinary action pending against **Diane P. Wood**, nor is **Diane P. Wood** the subject of an investigation for professional misconduct at this time.

Respectfully submitted,

  
Steven W. Young  
General Counsel

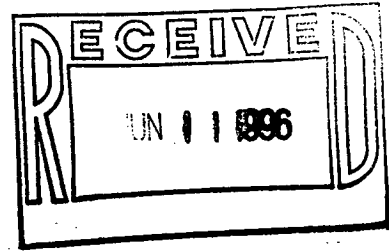
United States Court of Appeals  
for the Seventh Circuit  
219 South Dearborn Street  
Chicago, Illinois 60604-1809

Chambers of  
Diane P. Wood  
Circuit Judge

June 4, 1996

Tel. 312-435-5521  
Fax. 312-408-5117

Fernando Guerrero, Jr., Esq.  
Office Manager, Membership Department  
State Bar of Texas  
P.O. Box 12487  
Austin, Texas 78711-2487



Dear Mr. Guerrero:

Pursuant to your instructions in your letter of May 31, 1996, I am enclosing herewith the materials you specified in connection with my voluntary resignation from the State Bar of Texas.

For the record, I am resigning from my **inactive** status in the State Bar because I was advised that the State Bar of Texas has no membership category that exempts federal judges from paying the \$50 annual assessment. On July 24, 1995, I was sworn in as a Circuit Judge on the United States Court of Appeals for the Seventh Circuit. As you may know, this is an Article III judgeship, which I hold, pursuant to my Commission from the President and the Constitution, during my "good behavior" -- that is, I have life tenure. I am an active member of the bars of the State of Illinois and the District of Columbia. I therefore have no present or conceivable future need to practice law in the State of Texas, and thus it makes no sense for me to continue to pay \$50 per year to be an inactive member of the State Bar of Texas.

Although your letter is somewhat unclear, I interpreted it to require two separate notarized affidavits, one certifying that I have surrendered all relevant bar cards, licenses, etc., and the other certifying that there is no evil purpose in my resignation. I have accordingly enclosed both of these. Since I have not been an active member of the Texas Bar for well over a decade, the only materials I could find were my bar card showing my inactive status and my original certificate from the Supreme Court of Texas.

Please confirm in writing that this is sufficient to accomplish my voluntary resignation. Thank you for your help.

Sincerely yours,

  
Diane P. Wood

Enclosures

AFFIDAVIT

I, DIANE PAMELA WOOD, am resigning from the State Bar of Texas because, as an Article III federal judge, I have no further need to continue as a member. I hereby certify, pursuant to Article III, Section 6(A) of the Rules of the State Bar of Texas, that the purpose of my resignation from the State Bar is not to avoid disciplinary action and that I have no knowledge of any unresolved allegations of professional misconduct..

Signed: *Diane P. Wood*

Date: *June 4, 1996*

Sworn and subscribed to before me, a Notary Public in and for the County of Cook, State of Illinois, on *June 4, 1996*.

*Collins T. Fitzpatrick*  
Notary Public





AFFIDAVIT

I, DIANE PAMELA WOOD, have surrendered all Bar Cards, all Law Licenses, and all certificates issued to me by the Supreme Court of Texas.

Signed: *Diane P. Wood*

Date: *June 4, 1996*

Sworn and subscribed to before me, a Notary Public in and for the County of Cook, State of Illinois, on *June*



*Collins T Fitzpatrick*  
Notary Public

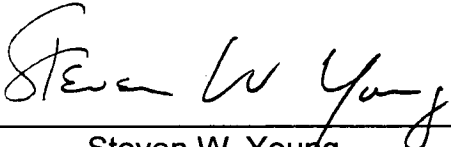
IN THE SUPREME COURT OF TEXAS  
CERTIFICATION OF THE GENERAL COUNSEL  
OF THE STATE BAR OF TEXAS  
REGARDING

**Ellen Jane Wynegar**  
**# 22100400**

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Steven W. Young, General Counsel of the State Bar of Texas, in accordance with the State Bar Rules, Art. III, Section 6(B), hereby certify that there is currently no disciplinary action pending against **Ellen Jane Wynegar**, nor is **Ellen Jane Wynegar** the subject of an investigation for professional misconduct at this time.

Respectfully submitted,

  
\_\_\_\_\_  
Steven W. Young  
General Counsel

The Supreme Court of Texas  
State Bar of Texas  
Membership Department  
PO Box 12487  
Austin, TX 78711-2487

To Whom it may Concern:

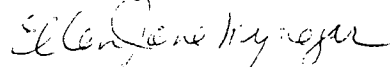
Re: Resignation, 22 100 400

Enclosed please find the necessary items:

1. Texas State Bar Association Gold Card with date 1982.
2. Texas State Bar Association Silver Card with date 1982.
3. Affidavit regarding the surrender of certificates.
4. Affidavit regarding purpose not to avoid disciplinary action.

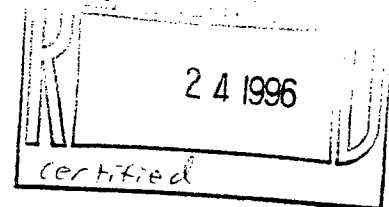
I have no other certificates issued to me by the Texas State Bar Association and therefore cannot surrender any more certificates. All other certificates have been inadvertently destroyed.

Sincerely,



Ellen Jane Wynegar, 22 100 400  
PO Box 8022  
Richmond, IN 47374

6-20-96



Membership Department  
State Bar of Texas  
Austin, TX 76711-2487

I submitted my resignation April 15, 1996, to the Texas State Bar Association and the purpose in resigning is not to avoid disciplinary action, and I have no knowledge of any unresolved allegations of professional misconduct regarding my Bar License.

Ellen Jane Wynegar  
Ellen Jane Wynegar, '22 Y00 400

Subscribed and Sworn to before me this 20 day of June, 1996.

My Commission Expires:

8-11-97

Jenessa Carson  
Notary Public, Wayne County, Indiana

I, Ellen Jane Wynegar, have surrendered all existing Bar Cards, all existing Law Licenses, and all existing certificates issued to me by the Supreme Court of Texas.

Ellen Jane Wynegar  
Ellen Jane Wynegar, 22 100 400

Subscribed and Sworn to before me this 20 day of June, 1996.

My Commission Expires:

8-11-97

Jessica Carson  
Notary Public  
Wayne County, Indiana