

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 97- 9215

Appointment of a District Judge to Preside
in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable Aleta D. Hacker, Judge of the 326th District Court of Taylor County, Texas, to preside in the Disciplinary Action styled:

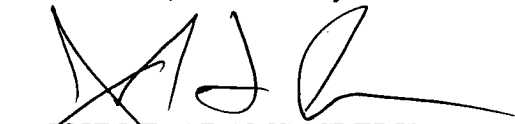
The Commission for Lawyer Discipline v. Steven M. Williams

to be filed in a District Court of Wichita County, Texas.

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Wichita County, Texas, a copy of this Order and Disciplinary Petition for filing pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

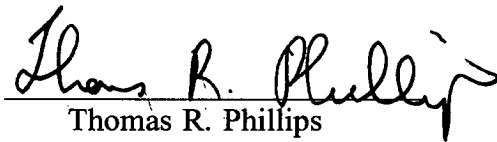
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City
of Austin, this 2nd day of December, 1997.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 97-9215, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 3 day of December, 1997.

A handwritten signature in cursive script that reads "Thomas R. Phillips". The signature is written in black ink and is positioned above a horizontal line.

Thomas R. Phillips
Chief Justice

NO. _____

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
	§	
V.	§	WICHITA COUNTY, TEXAS
	§	
STEVEN M. WILLIAMS	§	____ JUDICIAL DISTRICT

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complaining of Respondent, Steven M. Williams (hereinafter called "Respondent"), showing the Court:

I.

Petitioner brings this disciplinary action pursuant to the State Bar Act, Tex. Gov't. Code Ann. § 81.001, et seq. (Vernon 1988), the Texas Disciplinary Rules of Professional Conduct and the Texas Rules of Disciplinary Procedure. The complaint which forms the basis of the Disciplinary Petition was filed on or after May 1, 1992.

II.

Respondent is an attorney licensed to practice law in Texas and a member of the State Bar of Texas. Respondent is a resident of, and has his principal place of practice in, Wichita County, Texas. Service of citation may be had on Respondent by certified mailed, return receipt requested, addressed to Respondent's agent and attorney of record, Frank Douthitt, 118 North Bridge, P.O. Drawer 449, Henrietta, Texas 76365-0449.

FIRST CAUSE OF ACTION

III.

On or about March 10, 1997, Respondent, Steven M. Williams, signed an affidavit and submitted same to the District 14A grievance committee stating that neither he nor the Law Firm

of Steven M. Williams charged Avery Creacy, a client, any attorneys' fees in connection with a worker's compensation claim. Respondent added that the work performed on behalf of Creacy was performed pro bono.

In a grievance hearing held on February 16, 1996, Respondent testified that, per an employment contract between Creacy and Law Offices of Steven M. Williams, Creacy did not pay all the attorneys' fees he should have or that Respondent would have liked for him to have paid in connection with his worker's compensation claim. During that hearing, documents were submitted to the grievance panel evidencing that Respondent charged and billed to Creacy attorneys' fees for work performed on his worker's compensation claim. Respondent never filed an application of attorneys' fees to the Texas Workers' Compensation Commission.

Respondent knowingly made a false statement of material fact to the grievance committee in connection with a disciplinary matter. Respondent knowingly engaged in conduct involving deceit and misrepresentation.

IV.

Such acts and/or omissions on the part of Respondent as are described in Paragraph III hereinabove occurred on or after January 1, 1990 and constitute conduct violative of Rules 3.03(a)(1), 8.01(a), and 8.04(a)(3) of the Texas Rules of Professional Conduct.

V.

The complaint which forms the basis of the cause of action hereinabove set forth was brought to the attention of the Office of the General Counsel of the State Bar of Texas by a complaint filed by the State Bar of Texas on or about April 9, 1997.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to

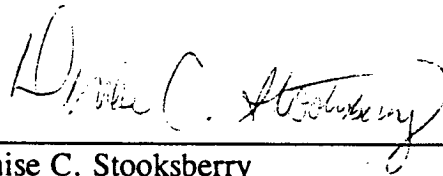
which entitled, including costs of Court and attorneys' fees.

Respectfully submitted,

Steven W. Young
General Counsel

Denise C. Stooksberry
Assistant General Counsel

Office of the General Counsel
STATE BAR OF TEXAS
201 Main Street, Suite 1150
Fort Worth, TX 76102
817/877-4993
817/335-4249 (FAX)



Denise C. Stooksberry
State Bar Card No. 04607100

ATTORNEYS FOR PETITIONER

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

October 23, 1997

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

Re: Commission for Lawyer Discipline v. Steven M. Williams

Dear Mr. Adams:

Enclosed please find an original and two (2) copies of a Disciplinary Petition being filed by the Commission for Lawyer Discipline against Steven M. Williams. Mr. Williams is a resident of Wichita County, Texas. Request is hereby made that the Court appoint an active District Judge who does not reside in the Administrative Judicial Region in which Respondent resides to preside in this case. Upon appointment, request is hereby made that you notify the Respondent's agent and attorney of record at the address shown below and the undersigned of the identity and address of the judge assigned:

Steven M. Williams
c/o Frank Douthitt
118 North Bridge
P.O. Drawer 449
Henrietta, Texas 76365

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed whether he or she will be able to comply with the 180 day deadline by which the case must be set for trial pursuant to Section 3.07 of the Texas Rules of Disciplinary Procedure. If not, I would respectfully request that an alternate appointment be made.

Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Wichita County, Texas, with the request that the suit be filed, service be obtained, and a file-marked copy of the petition be returned to the undersigned. Further, please provide the undersigned a copy of the Court's appointing order in the pre-addressed envelope enclosed.

John T. Adams, Clerk

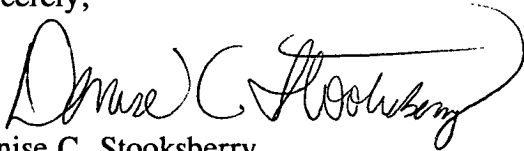
October 23, 1997

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Also enclosed is a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Wichita County, Texas, and a return envelope to be sent to the District Clerk of Wichita County, Texas, for the Clerk's use in returning a file-marked copy of the petition to the undersigned.

If you have any questions, please contact me. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise C. Stooksberry". The signature is fluid and cursive, with a large loop at the end.

Denise C. Stooksberry
Assistant General Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas

DCS/am

Enclosures



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
JOHN CORNYN
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

TEL: (512) 463-1312
FAX: (512) 463-1365

EXECUTIVE ASS'T
WILLIAM L. WILLIS

DEC 08 1997

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

Honorable Aleta D. Hacker
Judge, 326th District Court
300 Oak Street
Abilene, Texas 79602

Dear Judge ~~Holloway~~ ^{Hacker}:

We enclose for your information a copy of the order of assignment, a copy of the Disciplinary Action, a copy of the notification letter to Mr. Williams and Ms. Stooksberry, and a copy of the letter to the District Clerk of Wichita County.

We then recommend that, four or five weeks after receipt of this letter, you or your coordinator contact the presiding judge or the District Clerk of Wichita County to find out the district court to which this disciplinary case has been assigned. We then recommend that, either before or immediately after you set the case for trial, the judge or coordinator of that court be contacted to reserve a courtroom, provide for a court reporter, etc. Finally, you should contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned (817-884-3328) to obtain claims forms for your expenses and other information incident to presiding over this disciplinary case.

Sincerely,

SIGNED

John T. Adams
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
JOHN CORNYN
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
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EXECUTIVE ASS'T
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

DEC 08 1997

Ms. Denise C. Stooksberry
Assistant General Counsel, State Bar of Texas
201 Main Street, Suite 1150
Fort Worth, Texas 76102

Mr. Steven M. Williams
c/o Frank Douthitt
118 North Bridge
P.O. Drawer 449
Henrietta, Texas 76365

Dear Ms. Stooksberry and Mr. Williams:

Pursuant to Rule 3.02 of the Texas Rules of Disciplinary Procedure, I hereby notify you that the Supreme Court of Texas has appointed the Honorable Aleta D. Hacker, Judge of the 326th District Court of Abilene, Texas to preside in

Commission for Lawyer Discipline v. Steven M. Williams

Sincerely,

SIGNED

John T. Adams
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

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CLERK
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WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

DEC 08 1997

The Honorable Dorsey Ray Trapp
District Clerk of Wichita County
P.O. Box 718
Wichita Falls, Texas 76307-0718

Dear Mr. Trapp:

Pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure, I am sending for filing State Bar of Texas Disciplinary Action styled: The Commission for Lawyer Discipline v. Steven M. Williams, and a copy of the Supreme Court's order appointing the Honorable Aleta D. Hacker, Judge of the 326th District Court of Abilene, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Hon. Aleta D. Hacker
Ms. Denise C. Stooksberry
Mr. Steven M. Williams