

ORDER OF THE SUPREME COURT OF TEXAS

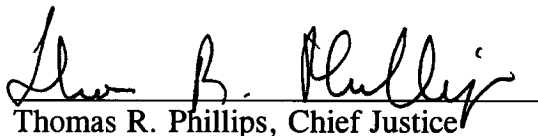
Misc. Docket No. 99- 9070


In the Matter of Carlos Alvarado, Jr.

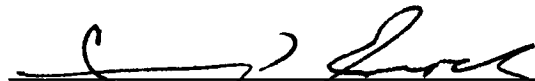
On this day came on for consideration the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Carlos Alvarado, Jr. together with the Response filed by the Chief Disciplinary Counsel of the State Bar of Texas acting through the Commission for Lawyer Discipline. The Court has reviewed said Motion and the Response 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 best interest of the public and of the profession and will meet the ends of justice, hereby concludes that the following Order is appropriate.


It is ORDERED that the law license of Carlos Alvarado, Jr. of Houston, Texas, State Bar card number 00785659 heretofore issued by this court, be, and the same is hereby canceled and revoked and his name be, and is hereby, removed and deleted from the list of persons licensed to practice law in the State of Texas. Receipt of the license and permanent State Bar card issued by this Court to Carlos Alvarado, Jr. is hereby acknowledged.

By the Court, en banc, in chambers, this the 22nd day of April,
1999.



Thomas R. Phillips, Chief Justice

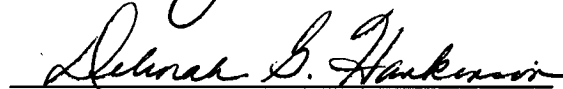

Nathan L. Hecht, Justice

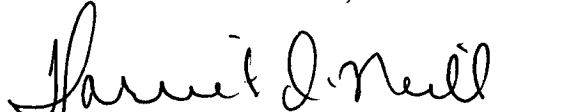

Craig T. Enoch, Justice



Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Alberto R. Gonzales, Justice

STATE BAR OF TEXAS



Office of the General Counsel

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
ARTICLE NUMBER Z 271 943 761

April 6, 1999

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

Re: Carlos Alvarado, Jr.

Dear Mr. Adams:

Pursuant to Part X of the Texas Rules of Disciplinary Procedure, please find enclosed herewith the following:

1. Motion for Acceptance of Resignation as Attorney and Counselor at Law of Carlos Alvarado, Jr., State Bar Number 00785659, which was received by the Chief Disciplinary Counsel on March 9, 1999;
2. Response of Chief Disciplinary Counsel of Motion for Acceptance of Resignation as Attorney and Counselor at Law of Carlos Alvarado, Jr., State Bar Number 00785659, a copy of which was transmitted to Carlos Alvarado, Jr. at least ten (10) days prior to today's date;
3. Original and one copy of proposed Order for review and entry by the Court accepting the resignation of Carlos Alvarado, Jr., State Bar Number 00785659, as Attorney and Counselor at Law; and
4. The original license and bar card issued to Carlos Alvarado, Jr., State Bar Number 00785659.

Mr. John Adams, Clerk

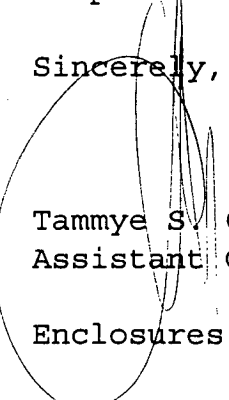
April 6, 1999

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Please present the enclosed Order to the Court for review and entry and return a conformed copy to the undersigned.

Upon entry of the Order by the Court, please transmit a true and correct copy of the same to the undersigned in order that this office may properly give notice to all parties of the Court's disposition of such motion.

Sincerely,



Tammye S. Curtis-Jones
Assistant General Counsel

Enclosures

CF3-24RA.PRI/vr

VIA E-MAIL

April 6, 1999

1111 FANNIN, SUITE 1370, HOUSTON, TEXAS 77002, (713) 759-6931

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

OF

Carlos Alvarado, Jr.

TO THE HONORABLE SUPREME COURT OF TEXAS:

Pursuant to Part X of the Texas Rules of Disciplinary Procedure, Steve W. Young, Chief Disciplinary Counsel, hereby files this response on behalf of the State Bar of Texas, acting by and through the Commission for Lawyer Discipline, to the Motion for Acceptance of Resignation in Lieu of Discipline filed by Carlos Alvarado, Jr., and would show as follows:

I.

The acceptance by the Court of the resignation of Carlos Alvarado, Jr. is in the best interest of the public and the profession.

II.

The following disciplinary actions are currently pending against Carlos Alvarado, Jr. :

1. Teresa Roberts, file number H0129717202;
2. Mitchell Sweezy, file number H0109819467.

1. Disciplinary proceeding H0129717202 seeks the discipline of Respondent for his actions relating to the complaint filed by Teresa Roberts (hereinafter referred to as "Roberts") in that on or about August 24, 1997, Roberts retained Respondent to represent her son, Gregory Williams (hereinafter referred to as "Williams") in a parole matter. Respondent was paid a retainer of \$1,500.00.

During the pendency of the case, Respondent failed to perform any duties on the case and did not appear at two parole hearings on or about October 10, 1997 and October 24, 1997. Complainant contacted Respondent's office several times and left messages. She also sent Respondent a certified letter requesting a status. The telephone messages and certified letter were not responded to.

On or about February 12, 1998, Respondent received notification of the Roberts complainant and his obligation to file a written response. He failed to furnish a written response. An investigatory hearing was scheduled on or about June 17, 1998. Respondent was sent notification of such hearing along with a subpoena from the State Bar of Texas (hereinafter called "SBOT") commanding his appearance and requests for information. He failed to respond to the SBOT's lawful demand for information.

Respondent's conduct as set forth in the Roberts complaint violated Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 1.04(a), 8.01(b), and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

2. Disciplinary proceeding H0109819467 seeks the discipline of Respondent for his actions relating to the complaint filed by Mitchell Sweezy (hereinafter referred to as "Sweezy") in that Respondent was retained by Sweezy in or around September 1995 to defend Sweezy in a child support modification action.

During the proceedings, Respondent was served discovery requests on behalf of Sweezy and Respondent did not file responses or objections to those requests. Hearings were held on various motions of which Respondent received notice of and failed to appear. Due to these actions, Sweezy's former spouse obtained a default judgment.

On or about October 28, 1998, Respondent was served with notice of the Sweezy complaint and failed to respond.

Respondent's conduct as set forth in the Sweezy complaint violated Rules 1.01(b)(1), 1.01(b)(2), 8.01(b), 8.04(a)(1), and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

III.

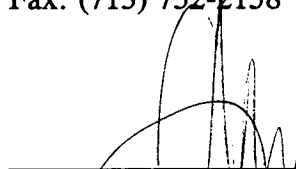
In view of Carlos Alvarado, Jr.'s executed Motion for Acceptance of Resignation on or about March 4, 1999, resigning as an attorney and counselor at law, and in anticipation of the Court's acceptance of his resignation, the Chief Disciplinary Counsel does not anticipate going forward with the pending Disciplinary Actions and intends to nonsuit the Disciplinary Actions upon entry of an Order by the Supreme Court of Texas deleting Carlos Alvarado, Jr. from the list of persons licensed to practice law in the State of Texas.

Respectfully submitted,

Steven W. Young
General Counsel

Tammye Curtis-Jones
Assistant General Counsel

Office of the General Counsel
State Bar of Texas
1111 Fannin, Suite 1370
Houston, Texas 77002
Phone: (713) 759-6931
Fax: (713) 752-2158



Tammye Curtis-Jones
State Bar No. 05286900

ATTORNEYS FOR PETITIONER THE
COMMISSION FOR LAWYER

CERTIFICATE OF SERVICE

I certify that on the 10 day of March, 1999, a true and correct copy of the Response of the Chief Disciplinary Counsel to the Resignation of Carlos Alvarado, Jr. was delivered to Carlos Alvarado, Jr., *Pro Se*, at 3555 Timmon, Ste. 1444, Houston, Texas 77027, by certified mail, return receipt requested.



Tammye S. Curtis-Jones

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

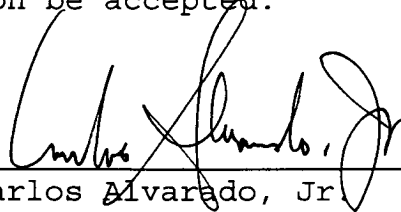
OF

Carlos Alvarado, Jr

NOW COMES your Applicant, Carlos Alvarado, Jr, and hereby resigns as an Attorney and Counselor at Law in the State of Texas; and hereby submits to the Court his resignation as an Attorney and Counselor at Law; and prays that the Court accept said resignation.

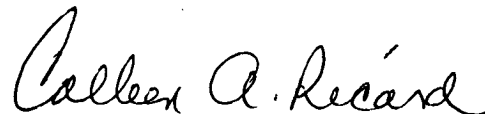
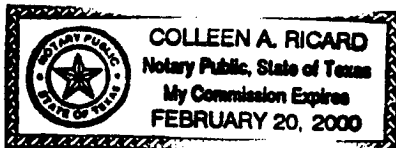
Attached hereto is the License and permanent State Bar card issued by this Court to the Applicant, Carlos Alvarado, Jr, as an Attorney and Counselor at Law on May 7, 1993. Said License and permanent State Bar card are hereby surrendered by the Applicant.

Your applicant is voluntarily resigning and withdrawing from the practice of law; Applicant does so in lieu of discipline for professional misconduct; and Applicant prays that his name be dropped and deleted from the list of persons licensed to practice law in Texas; and that his resignation be accepted.



Carlos Alvarado, Jr
00785659

SUBSCRIBED AND SWORN to before me by the said Carlos Alvarado, Jr. this the 4 day of March, 1999.



NOTARY PUBLIC in and for
the State of Texas