

11/11/11

11/11/11

11/11/11

11/11/11

NO. \_\_\_\_\_

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
	§	
V.	§	EL PASO COUNTY, TEXAS
	§	
NELSON F. CUTTER	§	_____ 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, Nelson F. Cutter (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. Pursuant to Rule 190.1, Texas Rules of Civil Procedure (TRCP), Petitioner intends that discovery in this case be conducted under Discovery Control Plan - Level 2, as provided in Rule 190.3, TRCP.

**II.**

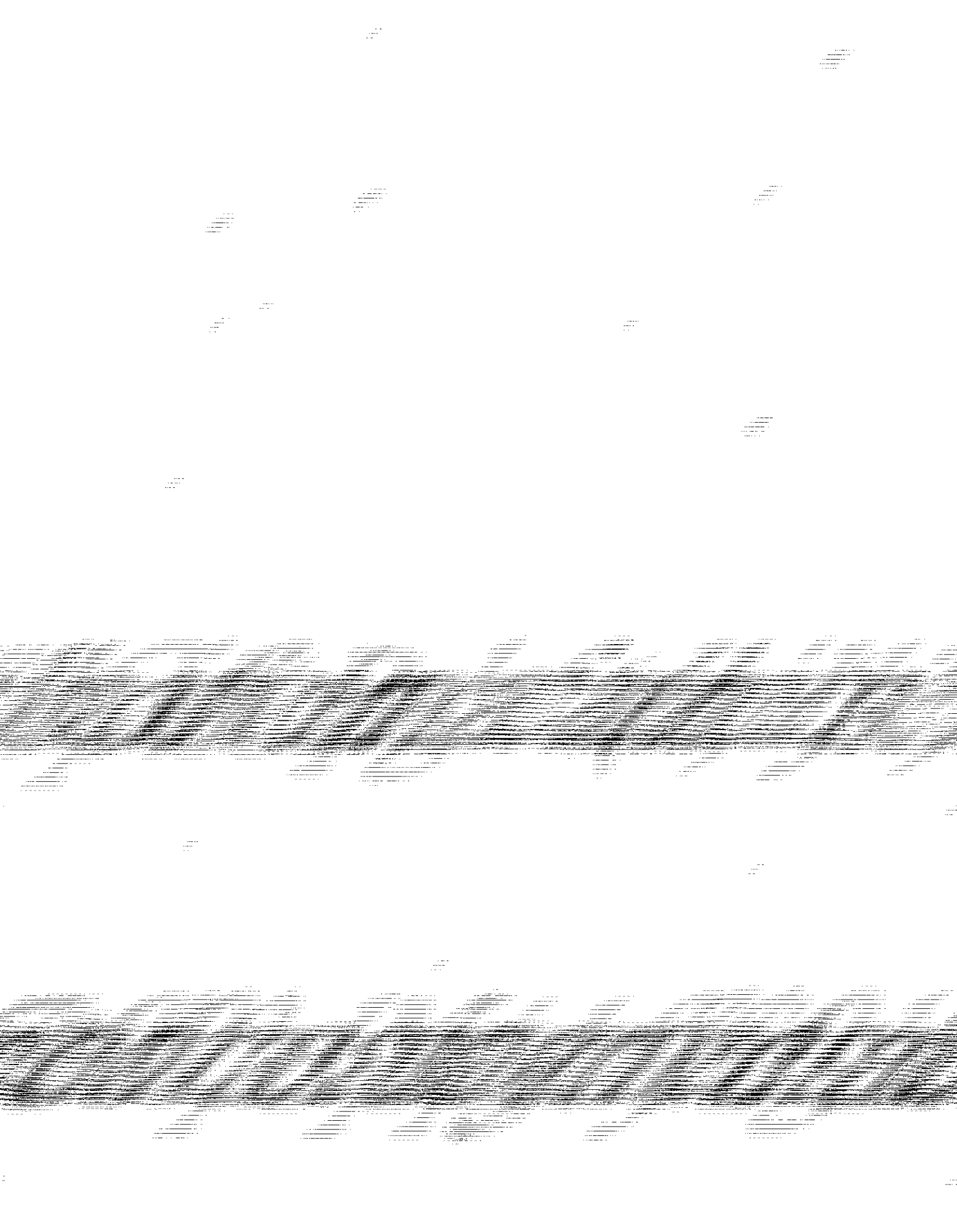
Respondent is an attorney licensed to practice law in Texas and a member of the State Bar of Texas. Respondent has his principal place of practice in, El Paso County, Texas. An officer may serve citation on Respondent at \_\_\_\_\_

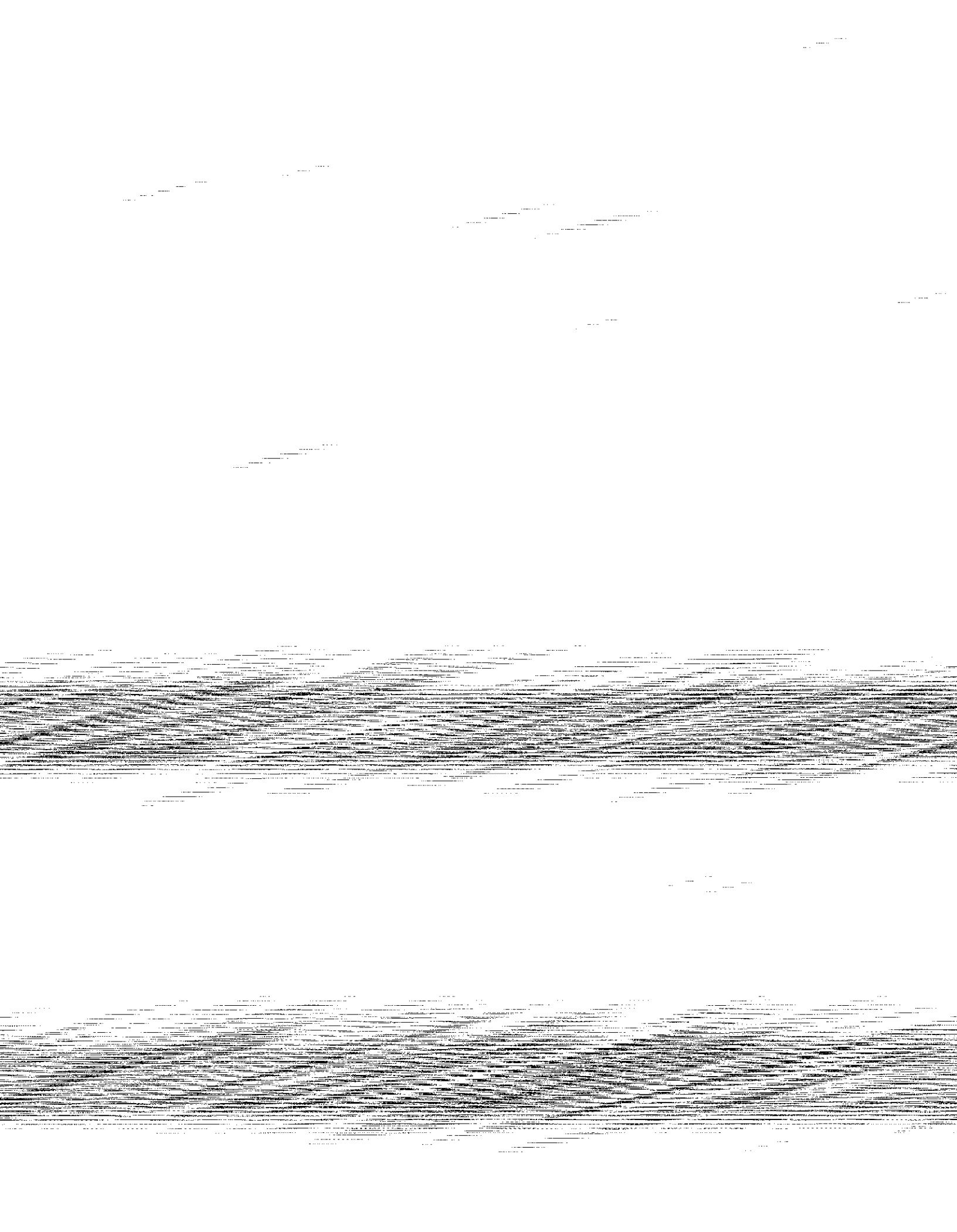
\_\_\_\_\_

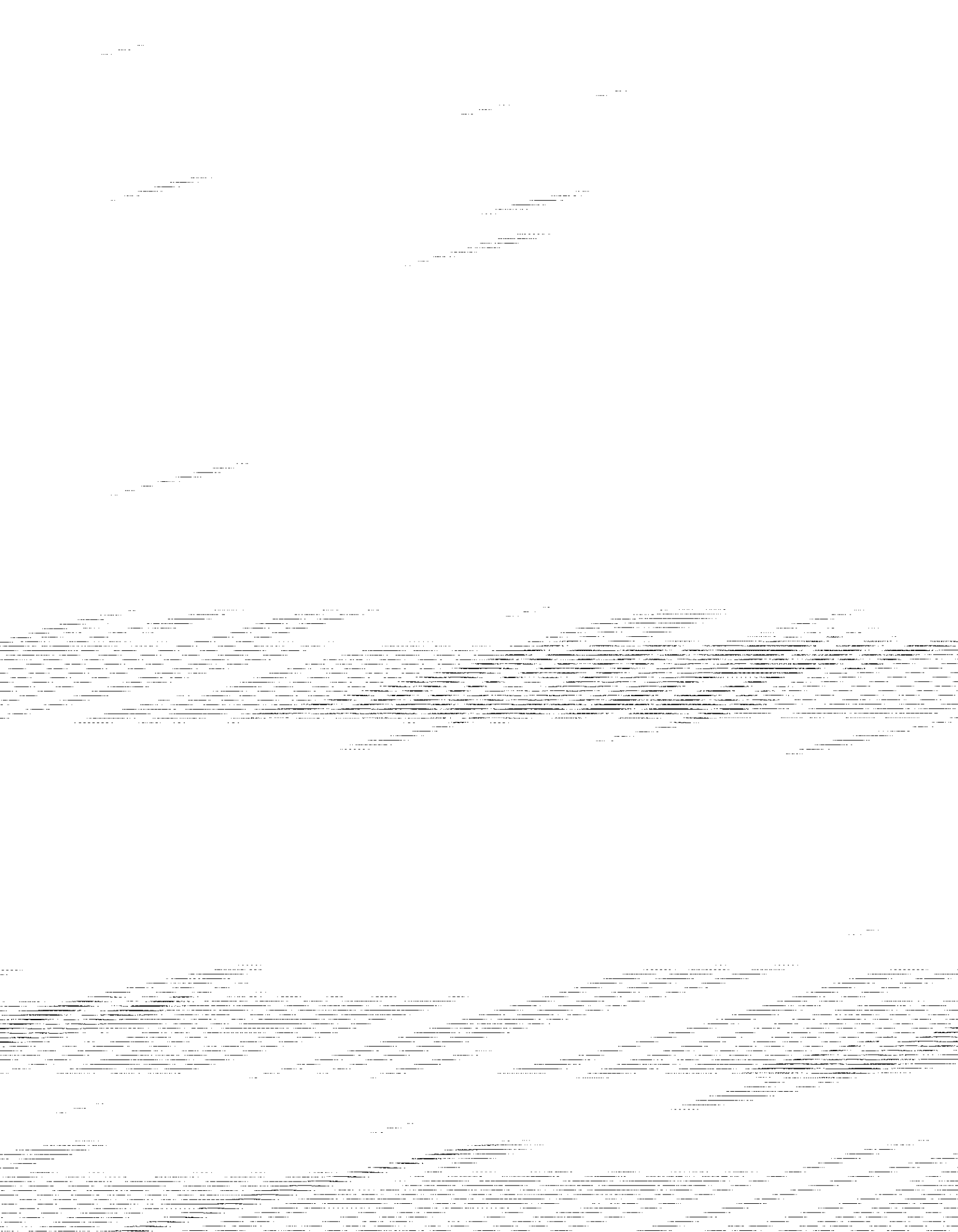
**FIRST CAUSE OF ACTION**

**III.**

In or around May, 1998, Respondent was employed to represent Jorge A. Paz and Sylvia







# STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

June 4, 1999

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

Re: Commission for Lawyer Discipline v. Nelson F. Cutter

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 Nelson F. Cutter. Mr. Cutter has designated El Paso County, Texas, as his principal place of practice. 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 made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

Nelson F. Cutter  
c/o Cutter and Rubin

[REDACTED]  
[REDACTED]

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to: (1) whether he or she will be able to comply with the 180 day deadline by which the case must be set for trial set forth in Section 3.07 of the Texas Rules of Disciplinary Procedure; and (2) whether he or she can accommodate compliance with *Mellon Service Co., et al v. Touche Ross Co.*, 946 S.W.2d 862 (Tex. App. - Houston [14th Dist.] 1997), which requires that all proceedings incident to a case occur in the county of proper venue. 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 El Paso 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.

500 Throckmorton St., Suite 2600, Fort Worth, Texas 76102, (817)877-4993 (Fax 335-4249)







## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK  
JOHN T. ADAMS

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T  
JIM HUTCHESON

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

JUSTICES  
NATHAN L. HECHT  
CRAIG T. ENOCH  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT  
DEBORAH G. HANKINSON  
HARRIET O'NEILL  
ALBERTO R. GONZALES

AUG 04 1999

Mr. J.G. Molleston  
Assistant General Counsel, State Bar of Texas  
500 Throckmorton Street, Suite 2600  
Fort Worth, Texas 76102

Mr. Nelson F. Cutter  
c/o Cutter & Rubin

[REDACTED]  
[REDACTED]

Dear Mr. Molleston and Mr. Cutter:

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 Gary L. Watkins, Judge of the 244<sup>th</sup> District Court, Odessa, Texas to preside in

*Commission for Lawyer Discipline v. Nelson F. Cutter*

Sincerely,

SIGNED

John T. Adams  
Clerk

