

# Supreme Court of Texas

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Misc. Docket No. 24-9012

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## In The Matter of Edward Eugene Winfrey

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The Court has reviewed the Motion for Acceptance of Resignation as Attorney and Counselor at Law in Lieu of Disciplinary Action of Edward Eugene Winfrey (the Motion) and the Response of the Office of the Chief Disciplinary Counsel for the Commission for Lawyer Discipline (the Response). The Court concludes each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. The Court finds that Edward Eugene Winfrey has waived the right to withdraw the Motion. Therefore, the Court deems the professional misconduct detailed in the Response conclusively established for all purposes. The Court further concludes that Edward Eugene Winfrey's resignation is in the best interest of the public and the profession.

Therefore, the law license of Edward Eugene Winfrey of Fort Worth, Texas, State Bar Card Number 24033349, is canceled. Edward Eugene Winfrey ("Resignee") must immediately surrender Resignee's State Bar Card and Texas law license to the Clerk of the Supreme Court of Texas or file with the Court an affidavit stating why Resignee cannot.

Edward Eugene Winfrey is prohibited from practicing law in the State of Texas. Edward Eugene Winfrey is prohibited from holding themselves out as an attorney at law, performing legal services for others, giving legal advice to others, accepting any fee directly or indirectly for legal services, appearing as counsel or in

any representative capacity in any proceeding in any Texas court or before any Texas administrative body (whether state, county, municipal, or other), or holding themselves out to others or using Resignee's name in any manner in conjunction with the word "Attorney at Law," "Counselor at Law," or "Lawyer."

Additionally, Edward Eugene Winfrey must immediately notify in writing each of Resignee's current clients and opposing counsel of this resignation. Edward Eugene Winfrey must also return any files, papers, unearned monies, and other property in Resignee's possession belonging to any client or former client to the respective client or former client or to another attorney at the client's or former client's request. Edward Eugene Winfrey must file with the Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, within thirty days of the date of this Order an affidavit stating that all current clients and opposing counsel have been notified of this resignation and that all files, papers, monies, and other property belonging to all clients and former clients have been returned.

Finally, Edward Eugene Winfrey must, within thirty days after the date of this Order, notify in writing each justice of the peace, judge, magistrate, and chief justice of each court in which Edward Eugene Winfrey has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address, and telephone number of the client(s) that Edward Eugene Winfrey is representing in court. Edward Eugene Winfrey must file with the Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, within thirty days of the date of this Order an affidavit stating that Resignee has notified in writing each justice of the peace, judge, magistrate, and chief justice of each court in which Resignee has any matter pending of the terms of this Order, the style and cause

number of the pending matter(s), and the name, address and telephone number of the client(s) Edward Eugene Winfrey is representing in Court.

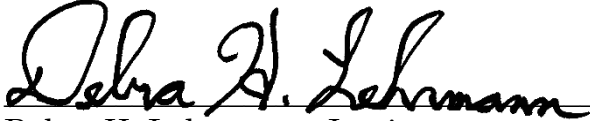
As an absolute condition precedent for the reinstatement of Edward Eugene Winfrey, payment of restitution to the following Complainants in the following amounts should be required. These amounts represent money due to these Complainants in the matters made the basis of Resignee's resignation. All payments should be made by certified or cashier's check and delivered to The State Bar of Texas, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, Texas 78711-2487.

<u>Complainant</u>	<u>Amount of Restitution</u>
Ronald Potenzo and Leslie Potenzo	\$265,500.00
Patricia K. Adami	\$5,000.00

SO ORDERED this 16th day of April, 2024.



Nathan L. Hecht, Chief Justice



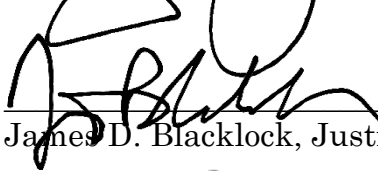
Debra H. Lehrmann, Justice



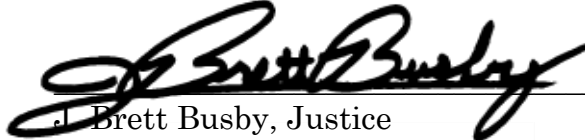
Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



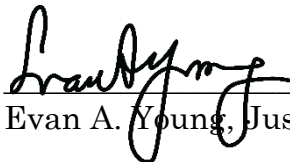
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice