

**ORDER OF THE SUPREME COURT OF TEXAS**

**Misc Docket No. 98- 9035**

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

The Supreme Court of Texas hereby appoints the Honorable Juanita Pavlick, Judge of the 89th District Court of Wichita County, Texas, to preside in the Disciplinary Action styled:

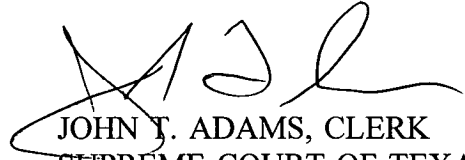
**The Commission for Lawyer Discipline v. Yung-Sung Choe**

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

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

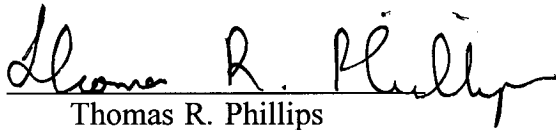
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City  
of Austin, this 11th day of February, 1998.

  
JOHN J. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 98-9035, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 12 day of February, 1998.

A handwritten signature in cursive script, reading "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. §  
YUNG-SUNG CHOE § DALLAS COUNTY, TEXAS  
§ \_\_\_\_\_ 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, Yung-Sung Choe, (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 is a member of the State Bar of Texas. Respondent is a resident of and has his principal place of practice in Dallas County, Texas. An officer may serve citation on Respondent by and through her attorney, Steven L. Lee, Lione & Lee, P.C., 8303 N. Mopac Expressway, Building C, Suite 238, Austin, Texas 78759-8370.

## FIRST CAUSE OF ACTION

### III.

On or about December 1, 1994, Alice Scott ("Scott") hired Respondent to represent her in a claim against Plum Tree Apartments. Thereafter, while representing Scott, Respondent was actively suspended from the practice of law by the State Bar of Texas. Respondent's active suspension began April 15, 1995, and continued to April 15, 1996. Respondent, however, represented to Scott that the State Bar of Texas had placed her on probation for a year and explained that her work would be supervised by the law firm of Brooks & Rowe. Respondent also represented to Scott that Respondent would continue to be her attorney and assured Scott she would not have to pay both Respondent and Brooks & Rowe. Respondent advised Scott that she would be required to sign a new contract, which Scott did.

### IV.

Scott, believing Respondent was still her attorney, made numerous calls, but Respondent failed to return Scott's telephone calls and failed to keep her appointments. Eventually, in late 1995, Scott terminated Respondent's legal services.

### V.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs III and IV, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 8.04 (a)(1)(3)(7)(10) and/or (11) of the Texas Disciplinary Rules of Professional Conduct.

### VI.

The complaint which forms the basis of the Cause of Action hereinabove set forth was

brought to the attention of the Office of General Counsel of the State Bar of Texas by Alice Scott filing a complaint on or about December 12, 1995.

## **SECOND CAUSE OF ACTION**

### **VII.**

On or about April 25, 1995, while actively suspended from the practice of law, Respondent agreed to represent Michael Rodgers ("Rodgers") and his wife in connection with a personal injury claim. Rodgers was referred to Respondent by Dr. Richard Davidson. Dr. Davidson is Respondent's husband, who owns approximately seven chiropractic clinics in the metroplex.

### **VIII.**

Thereafter, Respondent failed to notify Rodgers and his wife of her suspension from the practice of law and continued to represent Rodgers. In June 1996, the insurance company advised Respondent, that their case would be tried instead of settled. Respondent attempted to convince Rodgers and his wife to accept the insurance company's offer, but Rodgers refused. It was during this time that Rodgers became aware that Damon Rowe, whom Rodgers had never met, was actually his attorney. Subsequently, Rodgers requested a copy of his file and terminated Respondent's legal services.

### **IX.**

Such acts and/or omissions on the part of Respondent as are described in Paragraphs VII and VIII, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 8.04(a)(1)(3)(7) and/or (11) of the Texas Disciplinary Rules of Professional Conduct.

### **X.**

X.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of General Counsel of the State Bar of Texas by Michael D. Rodgers filing a complaint on or about December 8, 1995.

**PRAYER**

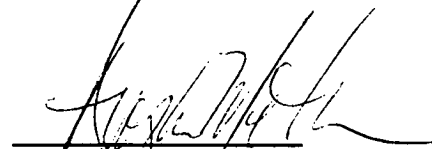
**WHEREFORE, PREMISES CONSIDERED,** Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

Respectfully submitted,

**Steve W. Young**  
General Counsel

**Angela Methvin**  
Assistant General Counsel

State Bar of Texas  
Litigation - Dallas  
3710 Rawlins  
Suite 800  
Dallas, Texas 75219  
(214) 559-4997  
FAX (214) 559-4335



**Angela Methvin**  
State Bar Card No. 00792698

ATTORNEYS FOR PETITIONER

# STATE BAR OF TEXAS



Office of the General Counsel

December 29, 1997

**CMRRR No. P 104 073 524**

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

**RE:: Commission for Lawyer Discipline v. Yung-Sung Choe**

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 Yung-Sung Choe. Ms. Choe has designated Dallas 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 in care of her attorney, Steven L. Lee, at the address shown below and the undersigned of the identity and address of the judge assigned:

**Yung-Sung Choe  
c/o Steven L. Lee  
Lione & Lee, P.C.  
8303 N. Nopac Expressway  
Building C, Suite 238  
Austin, Texas 78759-8370**

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.

Regency Plaza, 3710 Rawlins, Suite 800, Dallas, Texas 75219  
Telephone: (214) 559-4353 Fax: (214) 559-4335

John T. Adams, Clerk

December 29, 1997

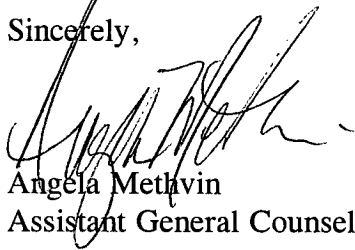
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Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Dallas County, Texas, with the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

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

Thank you for your courtesies in this matter.

Sincerely,



Angela Methvin  
Assistant General Counsel

Enclosures





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

FEB 19 1999

JUSTICES  
RAUL A. GONZALEZ  
NATHAN L. HECHT  
CRAIG T. ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT  
DEBORAH G. HANKINSON

CLERK  
JOHN T. ADAMS

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

Ms. Angela Methvin  
Assistant General Counsel, State Bar of Texas  
3710 Rawlins, Suite 800  
Dallas, Texas 75219

Mr. Yung-Sung Choe  
c/o Steven L. Lee  
Lione & Lee, P.C.  
Building C, Suite 238  
8303 N. MoPac Expressway  
Austin, Texas 78759-8370

Dear Ms. Methvin and Mr. Choe:

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 Juanita Pavlick, Judge of the 89<sup>th</sup> District Court, Wichita Falls, Texas to preside in

Commission for Lawyer Discipline v. Yung-Sung Choe

Sincerely,

**SIGNED**

John T. Adams  
Clerk



## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

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EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

FEB 19 1998

Honorable Juanita Pavlick  
Judge, 89<sup>th</sup> District Court  
900 7<sup>th</sup> Street, Room 300  
Wichita Falls, Texas 76301

Dear Judge Pavlick:

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 Ms. Methvin and Mr. Choe, and a copy of the letter to the District Clerk of Dallas County.

We then recommend that, either before or immediately after you set the case for trial, the Dallas County District Court Administrative Office (214-653-6510) 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 (214-653-2943) to obtain information on lodging, allowable expenses, and claims forms for your expenses 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

TEL: (512) 463-1312

FAX: (512) 463-1365

FEB 19 1998

JUSTICES  
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ROSE SPECTOR  
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JAMES A. BAKER  
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CLERK  
JOHN T. ADAMS

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

The Honorable Bill Long  
District Clerk of Dallas County  
George L. Allen Courts Building  
600 Commerce Street  
Dallas, Texas 75202

Dear Mr. Long:

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. Yung-Sung Choe, and a copy of the Supreme Court's order appointing the Honorable Juanita Pavlick, Judge of the 89<sup>th</sup> District Court, Wichita Falls, Texas, to preside in this Disciplinary Action.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

cc: Hon. Juanita Pavlick  
Ms. Angela Methvin  
Mr. Yung-Sung Choe