

ORDER OF THE SUPREME COURT OF TEXAS

Misc. Docket No. 02 - **9101**

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

The Supreme Court of Texas hereby appoints the Honorable Scott Jenkins, Judge of the 53rd District Court of Travis County, Texas, to preside in the Disciplinary Action styled

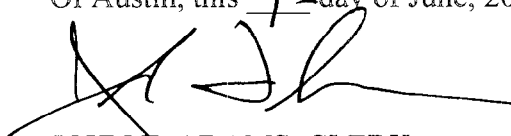
The Commission for Lawyer Discipline v. R. Allen Jones

filed in the 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 the Disciplinary Petition and this Order for filing pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

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

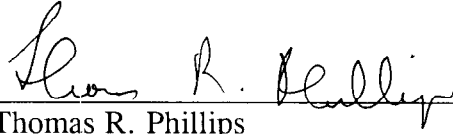
With the Seal thereof affixed at the City
Of Austin, this 7th day of June, 2002.



JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 02-9101, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code, §74.057.

Signed this 10 day of June, 2002.



Thomas R. Phillips
Chief Justice



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK
JOHN T. ADAMS

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
DEBORAH G. HANKINSON
HARRIET O'NEILL
WALLACE B. JEFFERSON
XAVIER RODRIGUEZ

EXECUTIVE ASSISTANT
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

JUN 14 2002

Mr. Luther G. Jones, III
Assistant Disciplinary Counsel, State Bar of Texas
3710 Rawlins, Suite 800
Dallas, Texas 75219

Mr. R. Allen Jones
1817 Wyster
Garland, Texas 75040

Dear Mr. Jones and Mr. Jones:

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 Scott Jenkins, Judge of the 53rd District Court, Austin, Texas to preside in

The Commission for Lawyer Discipline v. R. Allen Jones

Sincerely,

SIGNED

John T. Adams
Clerk



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

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ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

JUN 14 2002

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

Dear Mr. Hamlin:

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. R. Allen Jones*, and a copy of the Supreme Court's order appointing the Honorable Scott Jenkins, Judge of the 53rd District Court, Austin, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Honorable Scott Jenkins
Mr. Luther G. Jones, III
Mr. R. Allen Jones



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

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JUSTICES
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NADINE SCHNEIDER

JUN 14 2002

Honorable Scott Jenkins
Judge, 53rd District Court
P.O. Box 1748
Austin, Texas 78767-1748

Dear Judge Jenkins:

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. Jones and Mr. Jones, 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

NO. _____

COMMISSION FOR
LAWYER DISCIPLINE

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§

IN THE DISTRICT COURT OF

V.

DALLAS COUNTY, TEXAS

R. ALLEN JONES

_____ JUDICIAL DISTRICT

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complains of Respondent, R.A. Jones, (hereinafter called "Respondent"), showing the Court:

I.

Discovery Control Plan

Pursuant to Rules 190.1 and 190.3, TEXAS RULES OF CIVIL PROCEDURE (TRCP), Petitioner intends discovery in this case to be conducted under the Level III Discovery Control Plan. Rule 3.07 of the Texas Rules of Disciplinary Procedure requires the court to set a trial date for this matter to commence no later than 180 days after the date this Disciplinary Petition is filed with the District Court.

II.

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.

III.

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. Respondent can be served at 1817 Wyster, Garland, Texas 75040. Multi-Service Process will serve citation.

IV.

On May 11, 2001, Erica Pemberton ("Pemberton") paid Respondent \$500.00 to represent her in obtaining a divorce and a restraining order against her estranged husband. Respondent failed to appear at the May 29, 2001 hearing for temporary injunction on Pemberton's behalf. In addition, Respondent failed to ensure, prior to the hearing, that the court file contained a copy of the return of service of the temporary restraining order upon Pemberton's husband.

IV.

Such acts and/or omissions on the part of Respondent as are described in Paragraph IV hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rule 1.01(b) 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 the Chief Disciplinary Counsel of the State Bar of Texas by Erica Pemberton filing a complaint on or about June 6, 2001.

PRAYER

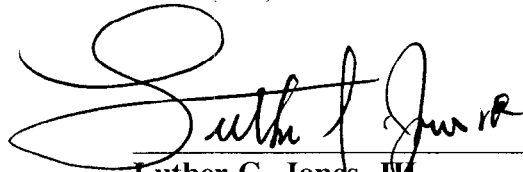
WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including any restitution, costs of Court, litigation assistant's and attorney's fees paid by Respondent.

Respectfully submitted,

Dawn Miller
Chief Disciplinary Counsel

Luther G. Jones, III
Assistant Disciplinary Counsel

State Bar of Texas
Litigation - Dallas
3710 Rawlins
Suite 800
Dallas, Texas 75219
(214) 559-4353
FAX (214) 559-4335

A handwritten signature in black ink, appearing to read "Luther G. Jones, III", written over a horizontal line.

Luther G. Jones, III
State Bar Card No. 10973200

ATTORNEYS FOR PETITIONER