

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 96- 9133

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

The Supreme Court of Texas hereby appoints the Honorable Michael J. Westergren, Judge of the 214th District Court of Nueces County, Texas, to preside in the Disciplinary Action styled:


The Commission for Lawyer Discipline v. J. W. O. Campbell

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

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Harris 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.

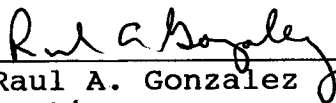
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City
of Austin, this 13th day of May, 1996.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 96-9133, is also an assignment pursuant to Texas Government Code §74.057.

Signed this 15th day of May, 1996.



Raul A. Gonzalez
Justice
(Tex. Gov't Code § 22.014)



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 ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
JOHN CORNYN
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

I hereby authorize the Honorable Raul A. Gonzalez, senior Justice of the Supreme Court of Texas, to sign certificates of eligibility of applicants for judicial retirement benefits, assignments of retired and former judges, and any other court documents which may require the signature of the Chief Justice of the Supreme Court, during my absence between May 13 and May 23, 1996, pursuant to Texas Government Code § 22.014.

May 6, 1996


Thomas R. Phillips
Chief Justice

§ 22.014. Senior Justice Acting for Chief Justice

In the chief justice's absence, the justice with the most seniority on the supreme court may sign a court document for the chief justice if the chief justice has given that justice written authorization.

Added by Acts 1995, 74th Leg., ch. 356, § 1, eff. Aug. 28, 1995.

CAUSE NO. _____

COPY

COMMISSION FOR LAWYER DISCIPLINE §
v. §
J. W. O. CAMPBELL §

IN THE DISTRICT COURT OF
HARRIS 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, J.W.O. Campbell (hereinafter called "Respondent"), showing the Court:

I.

Petitioner brings this disciplinary action pursuant to the State Bar Act, Texas Government Code Annotated §81.001, *et seq.* (Vernon 1988 and supp. 1994), the Texas Disciplinary Rules of Professional Conduct and the Texas Rules of Disciplinary Procedure. The complaint that forms the basis of this Disciplinary Petition was filed on or after May 1, 1992.

II.

Respondent is an attorney licensed to practice law in Texas and a member of the State Bar of Texas. Respondent is a resident of and has his principal place of practice in Harris County, Texas, and therefore venue is appropriate in Harris County, Texas, pursuant to Rule

3.03 of the Texas Rules of Disciplinary Procedure. Respondent may be served at his business address located at 2110 Chenevert, Houston, Harris County, Texas, 77003.

III.

On or about September 27, 1995, Portia Hosea (hereinafter called "Hosea") filed a grievance against Respondent with the State Bar of Texas. Hosea's grievance alleged that Respondent had engaged in conduct which violated the Texas Disciplinary Rules of Professional Conduct.

Pursuant to the Texas Rules of Disciplinary Procedure, a letter was sent to Respondent requesting a response to the Hosea grievance. The letter requesting a response from Respondent was sent October 4, 1995, and was received by Respondent on or about October 5, 1995.

Respondent's written response to the Hosea grievance was due on or about November 4, 1995. However, Respondent failed to respond to this lawful demand for information from a grievance committee.

IV.

The acts and/or omissions of the Respondent described in Paragraph III above, which occurred on or after January 1, 1990, constitute conduct in violation of Rules 8.01(b) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

V.

The complaint that forms the basis of this cause of action was brought to the attention of the Office of the General Counsel of the State Bar of Texas by Hosea's filing of a complaint on or about September 27, 1995.

Prayer

WHEREFORE, PREMISES CONSIDERED, Petitioner the COMMISSION FOR LAWYER DISCIPLINE respectfully prays that this Court discipline Respondent J.W.O. CAMPBELL, as the facts shall warrant; and that the Petitioner shall have all other relief to which it may show itself to be justly entitled, including costs of court and attorney's fees.

Respectfully submitted,

James M. McCormack
General Counsel

Diego J. Vargas
Assistant General Counsel

Office of the General Counsel
STATE BAR OF TEXAS
1111 Fannin, Suite 1370
Houston, Texas 77002
(713) 759-6931
Fax No. (713) 759-1932



DIEGO J. VARGAS
State Bar No. 00791847

ATTORNEYS FOR THE COMMISSION
FOR LAWYER DISCIPLINE

STATE BAR OF TEXAS



Office of the General Counsel

March 25, 1996

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

Re: Commission for Lawyer Discipline v. J.W.O. Campbell

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 J.W.O. Campbell. Mr. Campbell has designated Harris 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 practices to preside in this case. Upon appointment, request is hereby made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

J.W.O. Campbell
2110 Chenevert
Houston, Texas 77003

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to 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. 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 Civil Case Information Sheet, and the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Harris County, Texas, with the request that the suit be filed, service be obtained, and a filemarked copy of the petition be returned to the undersigned.

Also enclosed is a pre-addressed envelope for your use in transmitting the above referenced documents to the District Clerk of Harris County, Texas, and a return envelope to be sent to the District Clerk of Harris County, Texas, for the Clerk's use in returning a filemarked copy of the petition to the undersigned.

Mr. John T. Adams, Clerk
Supreme Court of Texas
March 25, 1996
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If you have any questions, please contact me. Thank you for your assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'DJV', with a long horizontal flourish extending to the right.

Diego J. Vargas
Assistant General Counsel

DJV/sml
enclosures



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

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GREG ABBOTT

May 22, 1996

Honorable Michael J. Westergren
Judge, 214th District Court
901 Leopard Street, #902
Corpus Christi, Texas 78401

Dear Judge Westergren:

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. Campbell and Mr. McCormack, and a copy of the letter to the District Clerk of Harris County.

It is recommended that, six to eight weeks after receipt of this letter, you contact the Harris County District Court Administrative Office (713-755-7593) to find out the district court to which this disciplinary case has been assigned. We then recommend that, either before or immediately after you set the case for trial, you again contact the Harris County District Court Administrative Office (713-755-6593) 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 (713-471-3911) 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

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JAMES A. BAKER
GREG ABBOTT

May 22, 1996

The Honorable Charles Bacarisse
District Clerk of Harris County
P.O. Box 4651
Houston, Texas 77210

Dear Mr. Bacarisse:

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. J.W.O. Campbell and a copy of the Supreme Court's order appointing the Honorable Michael J. Westergren. Judge of the 214th District Court, Corpus Christi, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Hon. Michael J. Westergren
Mr. J.W.O. Campbell
Mr. James M. McCormack



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

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JAMES A. BAKER
GREG ABBOTT

May 22, 1996

Mr. James M. McCormack
General Counsel, State Bar of Texas
P.O. Box 12487
Austin, Texas 78711

Mr. J.W.O. Campbell
2110 Chenevert
Houston, Texas 77003

Dear Mr. McCormack and Mr. Campbell:

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 Michael J. Westergren, Judge of the 214th District Court, Corpus Christi, Texas to preside in

Commission for Lawver Discipline v. J.W.O. Campbell

Sincerely,

SIGNED

John T. Adams
Clerk