

**ORDER OF THE SUPREME COURT OF TEXAS**

**Misc Docket No. 97- 9211**

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

The Supreme Court of Texas hereby appoints the Honorable Wilford Flowers, Judge of the 147th District Court of Travis County, Texas, to preside in the Disciplinary Action styled:


**The Commission for Lawyer Discipline v. Franklin Y. Wright**

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

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

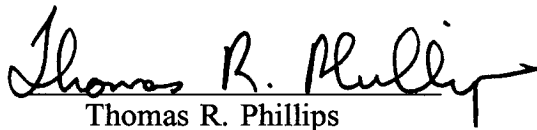
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City  
of Austin, this 2nd day of December, 1997.

  
JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 97-9211, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 3 day of December, 1997.

A handwritten signature in cursive script that reads "Thomas R. Phillips". The signature is written in black ink and has a long, sweeping horizontal stroke at the end.

Thomas R. Phillips  
Chief Justice

No. \_\_\_\_\_

COMMISSION FOR LAWYER  
DISCIPLINE

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§  
§

IN THE DISTRICT COURT OF

V.

BEXAR COUNTY, T E X A S

FRANKLIN Y. WRIGHT

\_\_\_TH JUDICIAL DISTRICT

**DISCIPLINARY PETITION**

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, Petitioner, COMMISSION FOR LAWYER DISCIPLINE, a committee of the State Bar of Texas, complaining of Respondent, FRANKLIN Y. WRIGHT, and in support thereof would respectfully show the Court the following:

**Parties**

Petitioner is the COMMISSION FOR LAWYER DISCIPLINE, a committee of the State Bar of Texas. Respondent, FRANKLIN Y. WRIGHT, State Bar No. 22072500, is an attorney licensed to practice law in the State of Texas and is a member of the State Bar of Texas. Respondent is a resident of Bexar County, Texas and may be served with process at 3107 Broadway, San Antonio, Bexar County, Texas 78209, his usual place of business.

**Venue**

Respondent's principal place of law practice is in Bexar County, Texas. Accordingly, pursuant to Texas Rules of Disciplinary Procedure 3.03, venue is proper in Bexar County, Texas.

**I.**

Petitioner brings this disciplinary action pursuant to State Bar Act, Tex. Gov't. Code Ann., Sec. 81.001, et seq. (Vernon 1988), the Texas Disciplinary Rules of Professional Conduct and the Texas Rules of Disciplinary Procedure. The complaints which form the basis of this action

were filed by Edward Satterwhite on or about April 22, 1997 and by Billie Satterwhite on or about April 10, 1997. The acts and conduct of Respondent, as hereinafter alleged, constitute professional misconduct.

## II.

In July 1994, Respondent was retained by Shawnte Bean for representation in a personal injury action against Edward Satterwhite and other parties. The accident occurred on or about June 7, 1993. Respondent entered an appearance and was the attorney of record for Ms. Bean in Cause No. 214021, styled Shawnte Bean v. Edward Joe Satterwhite, Michelle L. Bright and Robert Bright, in the County Court at Law, No. 2, Bexar County, Texas.

## III.

Prior to, during the pendency of Ms. Bean's litigation and subsequent to Ms. Bean's litigation, Respondent represented Edward Satterwhite on several personal injury cases. During the time that Respondent represented Ms. Bean, Respondent was representing Mr. Satterwhite and was the attorney of record for Mr. Satterwhite in two litigation matters: Cause No. 96-CI-04764, styled Edward Joe Satterwhite v. Progressive County Mutual Insurance, pending in the 288th Judicial District Court of Bexar County, Texas; and Cause No. 97-CI-03263, styled Edward Joe Satterwhite v. Progressive County Mutual Insurance.

## IV.

Prior to accepting the representation of Ms. Bean, Respondent failed to obtain the informed consent of Mr. Satterwhite and/or Ms. Bean.

V.

The conduct of Respondent described above constitutes a violation of the following Texas Disciplinary Rules of Professional Conduct:

Rule 1.06(b)(1) -- A lawyer shall not represent a person if the representation of that person involves a substantially related matter in which that person's interests are materially and directly adverse to the interests of another client of the lawyer or the lawyer's firm.

Rule 1.06(b)(2) -- A lawyer shall not represent a person if the representation of that person reasonably appears to be or become adversely limited by the lawyer's or law firm's responsibilities to another client or to a third person or by the lawyer's or law firm's own interests.

Rule 1.09(a)(2) -- Without prior consent, a lawyer who personally has formerly represented a client in a matter shall not thereafter represent another person in a matter adverse to the former client if the representation in reasonably probability will involve a violation of Rule 1.05 (confidentiality).

**PRAYER**

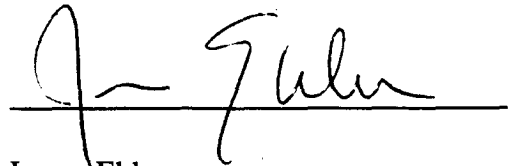
WHEREFORE, PREMISES CONSIDERED, Petitioner prays that a judgment of professional misconduct be entered against Respondent and that Petitioner have such other relief to which it is entitled, including costs of court and attorney's fees.

Respectfully submitted,

Steven W. Young  
General Counsel

James Ehler  
Assistant General Counsel

Office of the General Counsel  
State Bar of Texas  
425 Soledad, Suite 300  
San Antonio, Texas 78205  
Telephone: (210) 271-7881  
Telecopier: (210) 271-9642

A handwritten signature in cursive script, appearing to read "James Ehler", is written over a horizontal line.

James Ehler  
State Bar No. 06484650

**ATTORNEYS FOR PETITIONER**

# STATE BAR OF TEXAS



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
P 583 840 687

Office of the General Counsel  
Regional Office  
Soledad Plaza West  
425 Soledad, Suite 300  
San Antonio, Texas 78205  
(210) 271-7881  
FAX: (210) 271-9642

November 4, 1997

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

RE: Commission for Lawyer Discipline v. Franklin Y. Wright

Dear Mr. Adams:

Enclosed please find an original and three (3) copies of a Disciplinary Petition being filed by the Commission for Lawyer Discipline against Franklin Y. Wright. Mr. Wright has designated **Bexar County** 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 made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

Franklin Y. Wright  
3107 Broadway Street  
San Antonio, Texas 78209-6718

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 as 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 three (3) copies of the Disciplinary Petition and the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Bexar County, Texas, with the request that the suit be filed, service be obtained, and a filemarked copy of the petition returned to the undersigned.

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

Thank you for your courtesies in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Ehler". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

James Ehler  
Assistant General Counsel

Enclosures

JAE/cah