

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 98- 9126

**IN THE MATTER OF
PAT N. WALKER**

**JUDGMENT OF CONTEMPT, ORDER OF COMMITMENT,
AND ORDER TO ISSUE CAPIAS**

On January 17, 1995, Pat N. Walker executed a Motion for Acceptance of Resignation As Attorney and Counselor at Law, effective January 31, 1995. This resignation was in lieu of disciplinary action. Mr. Walker's resignation was accepted by the Supreme Court on February 21, 1995, by its Order (Misc. Docket no. 95-9045), which stated in part:

IT IS FURTHER ORDERED that Pat N. Walker, be, and he is hereby, permanently enjoined and prohibited from practicing law in the State of Texas, holding himself out as an attorney at law, performing any 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 himself out to others or using his name in any manner in conjunction with the words "Attorney at Law", "Counsel at Law", or "Lawyer".

In response to a Motion for Contempt filed by the General Counsel of the State Bar of Texas, on September 25, 1995, the Supreme Court appointed the Honorable Bradley S. Underwood, Judge of the 364th District Court of Lubbock County, as Master to preside over a hearing for Mr. Pat N. Walker to show cause why he should not be held in contempt for violation of this Court's order of February 21, 1995, and to report his findings and conclusions.

Judge Underwood held a hearing on January 9, 1998, at which Pat N. Walker appeared in person and through his attorney, Mr. Jack Stoffregen. Mr. Walker admitted that he is guilty of contempt of this Court's order of February 21, 1995, in that

- a. On or about March 30, 1995, Pat N. Walker knowingly and intentionally sent correspondence on "Pat Walker, Attorney at Law" letterhead to Judge Dee Justice, Justice of the Peace, Precinct 2, Garza County, Texas, requesting a continuance of a trial setting on behalf of a client, Virginia Axtell, in **Housing Authority, City**

of Post v. Virginia Axtell, #95-03-152-FD. Mr. Walker thereafter knowingly and intentionally represented Ms. Axtell in a jury trial of that cause on or about April 11, 1995 in Justice Court, and filed on behalf of Ms. Axtell an appeal of the jury verdict rendered in Justice Court to the County Court of Garza County.

b. On or about March 29, 1995, Pat N. Walker knowingly and intentionally represented Mr. Jerry W. Farquhar in No. 93-10-04940-CV, **In the Matter of the Marriage of Carolyn Y. Farquhar and Jerry W. Farquhar**, in the 106th District Court of Garza County, and questioned Mr. Farquhar on the record concerning division of property in the divorce proceeding.

c. Subsequent to this Court's order of February 21, 1995, Pat N. Walker knowingly and intentionally accepted fees for legal services directly, or indirectly for services performed by and in conjunction with Lewis H. Earl, a licensed attorney, said fees being primarily in conjunction with child support cases.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that Pat N. Walker, is in contempt of the Supreme Court of Texas for willfully disobeying a valid order of this Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Supreme Court of Texas that, as punishment for such contempt, Pat N. Walker, be incarcerated and ordered placed in the county jail of Garza County, Texas, for a period of ten (10) days, as a condition of probation.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Pat N. Walker is incarcerated in the county jail of Garza County, Texas, for a period of seven (7) days, said incarceration probted for a period of twelve (12) months.

The conditions of probation are as follows:

1. No association with Lewis H. Earl, attorney at law.
2. No association with any attorney as to the collection of child support.
3. Immediate forfeiture and disclaimer of entitlement to any attorneys fees or other moneys associated with child support collections based upon orders or agreements signed after February 21, 1995.
4. During the term of probation, Pat N. Walker shall make restitution of any attorneys fees or other moneys associated with child support collections collected by him based upon orders or agreements signed after February 21, 1995 or collected without the benefit of an order or agreement.

5. During the term of probation, Pat N. Walker shall not violate any state or federal criminal statutes, except that misdemeanor traffic offenses shall not be grounds for revocation of Respondent's probation.

6. During the term of probation, Pat N. Walker shall at all times keep the State Bar of Texas, 201 Main Street, Suite 1150, Fort Worth, Texas 76102 notified as to his current mailing, residence, and business address and telephone number, and he shall advise the State Bar of Texas of any changes to these within ten days of the change.

7. During the term of probation, Pat N. Walker shall comply with any request for information forwarded to him by any agent or employee of the State Bar of Texas or by the Office of the General Counsel of the State Bar of Texas, including but not limited to, access to any bank records or other records maintained by Pat N. Walker or to which Pat N. Walker has access.

8. During the term of probation, Pat N. Walker will comply fully with the Order of the Texas Supreme Court signed on February 21, 1995

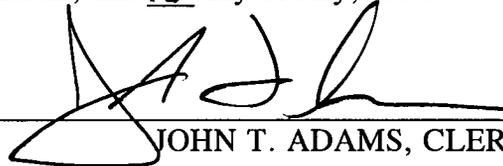
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the Clerk of this Court issue a capias commanding the sheriff of Garza County, Texas, to arrest Pat N. Walker, and place in the county jail in Garza County, Texas, and there safety keep him for a period of three (3) days.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Pat N. Walker shall pay a fine of \$250 to the District Clerk of Garza County.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Supreme Court of Texas that costs of the contempt proceeding shall be and are assessed against Pat N. Walker, to be paid to the State Bar of Texas, 201 Main, Suite 1150, Fort Worth, Texas 76102.

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

with the Seal thereof affixed at the City of Austin, this 16th day of July, 1998.



JOHN T. ADAMS, CLERK

CAPIAS

THE STATE OF TEXAS

TO THE SHERIFF OF GARZA COUNTY, TEXAS

GREETING:

On the ~~16~~¹⁴ day of July, 1998, in the Supreme Court of Texas, in Cause No. 95-9045, styled *In the Matter of Pat N. Walker*, the Court issued a judgment of contempt ordering that a capias be issued for the arrest of Pat N. Walker, and that Pat N. Walker be taken into the custody of the Sheriff of Garza County, Texas. The judgment, in part, is as follows:

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that Pat N. Walker is in contempt of the Supreme Court of Texas for willfully disobeying a valid order of this Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Supreme Court of Texas that, as punishment for such contempt, Pat N. Walker be incarcerated and ordered placed in the county jail of Garza County, Texas, for a period of three (3) days, and a fine of \$250 to be paid to the District Clerk of Garza County, Texas, and an additional seven (7) days incarceration in the county jail of Garza County, Texas, probated for a period of twelve (12) months.

The conditions of probation are as follows:

1. No association with Lewis H. Earl, attorney at law.
2. No association with any attorney as to the collection of child support.
3. Immediate forfeiture and disclaimer of entitlement to any attorneys fees or other moneys associated with child support collections based upon orders or agreements signed after February 21, 1995.
4. During the term of probation, Pat N. Walker shall make restitution of any attorneys fees or other moneys associated with child support collections collected by him based upon orders or agreements signed after February 21, 1995 or collected without the benefit of an order or agreement.
5. During the term of probation, Pat N. Walker shall not violate any state or federal criminal statutes, except that misdemeanor traffic offenses shall not be grounds for revocation

of Respondent's probation.

6. During the term of probation, Pat N. Walker shall at all times keep the State Bar of Texas office, 201 Main Suite, Suite 1150, Fort Worth, Texas 76102 notified as to his current mailing, residence, and business address and telephone numbers, and he shall advise the State Bar of Texas of any changes to these within ten days of the change.

7. During the term of probation, Pat N. Walker shall comply with any request for information forwarded to him by any agent or employee of the State Bar of Texas or by the Office of the General Counsel of the State Bar of Texas, including but not limited to, access to any bank records or other records maintained by Pat N. Walker or to which Pat N. Walker has access.

8. During the term of probation, Pat N. Walker will comply fully with the Order of the Texas Supreme Court signed on February 21, 1995.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk of this Court issue a capias commanding the sheriff of Garza County, Texas, to arrest Pat N. Walker, and place him in the county jail in Garza County, Texas, and there safely keep him for a period of three (3) days.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Supreme Court of Texas that costs of the contempt proceeding shall be and are assessed against Pat N. Walker, to be paid to the State Bar of Texas, 201 Main, Suite 1150, Fort Worth, Texas 76102.

WHEREFORE, you are hereby commanded to take the said Pat N. Walker into your custody and convey him to the jail in Garza County, Texas, to be incarcerated and held therein for three (3) days.

HEREIN FAIL NOT, but of this capias make due return, under the penalty prescribed by law, with your endorsement hereon, showing how you have executed the same

BY ORDER OF THE SUPREME COURT OF THE STATE OF TEXAS

with the Seal thereof affixed at the City
of Austin, this 16th day of July, 1998.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

THE STATE OF TEXAS

TO THE SHERIFF OF GARZA COUNTY, TEXAS

GREETING:

You are hereby commanded to serve upon PAT N. WALKER, in the case of:

No. 95-9045

In the Matter of Pat N. Walker

the accompanying original JUDGMENT OF CONTEMPT, ORDER OF COMMITMENT, AND ORDER TO ISSUE CAPIAS AND CAPIAS issued from The Supreme Court of Texas on the 16th day of July, 1998.

BY ORDER OF THE SUPREME COURT OF THE STATE OF TEXAS

with the Seal thereof annexed at the City of Austin,
this 16th day of July, 1998.



JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS