

ORDER OF THE SUPREME COURT OF TEXAS

MISC. DOCKET NO. 02- 9075

IN THE MATTER OF ISAIAH H. HARDY, JR.

The Court has reviewed the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Isaiah H. Hardy, Jr. and the Response of the Chief Disciplinary Counsel for the Commission for Lawyer Discipline. The Court concludes each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. In the absence of a request by Isaiah H. Hardy, Jr. to withdraw his motion, the Court deems the professional misconduct detailed in the Response of Chief Disciplinary Counsel conclusively established for all purposes. The Court further concludes that acceptance of Isaiah H. Hardy, Jr.'s resignation is in the best interest of the public and the profession.

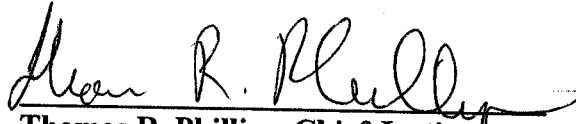
Therefore, the law license of Isaiah H. Hardy, Jr. of Austin, Texas, State Bar Card Number 08993500 is canceled. Isaiah H. Hardy, Jr. must immediately surrender his State Bar Card and Texas law license to the Clerk of the Supreme Court of Texas or file with the court an affidavit stating why he cannot.


Consequently, Isaiah H. Hardy, Jr. is prohibited from practicing law in the State of Texas. This includes holding himself out as an attorney at law, performing 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."

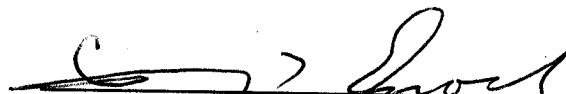
Additionally, Isaiah H. Hardy, Jr. must immediately notify in writing each of his current clients of his resignation. He shall also return any files, papers, unearned monies and other property in his possession belonging to any client or former client to the respective client or former client or to another attorney at the client's or former client's request. Isaiah H. Hardy, Jr. shall file with the State Bar of Texas, Office of the Chief Disciplinary Counsel, Post Office Box 12487, Austin, Texas 78711-2487, within thirty (30) days of the date of this Order an affidavit stating that all current clients have been notified of his resignation and that all files, papers, monies and other property belonging to all clients and former clients have been returned.

Finally, Isaiah H. Hardy, Jr. shall, within thirty (30) days after the date of this Order, notify in writing each justice of the peace, judge, magistrate, and chief justice of each court in which Isaiah H. Hardy, Jr. has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Isaiah H. Hardy, Jr. is representing in court. Isaiah H. Hardy, Jr. shall file with the State Bar of Texas, Office of the Chief Disciplinary Counsel, Post Office Box, 12487, Austin, Texas 78711-2487, within thirty (30) days of the date of this Order an affidavit stating that he has notified in writing each justice of the peace, judge, magistrate, and chief justice of each court in which he has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) he is representing in Court.


IT IS ORDERED the 11th day of April, 2002.



Thomas R. Phillips, Chief Justice

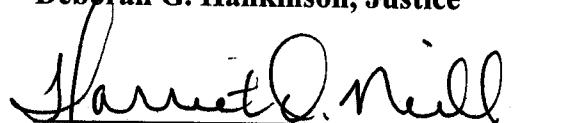

Nathan L. Hecht, Justice

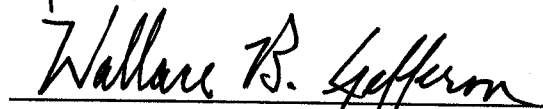

Craig T. Enoch, Justice



Priscilla R. Owen, Justice


James A. Baker, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Wallace B. Jefferson, Justice


Xavier Rodriguez, Justice

IN THE SUPREME COURT OF TEXAS
MOTION FOR ACCEPTANCE OF RESIGNATION AS
ATTORNEY AND COUNSELOR AT LAW
OF
ISAIAH H. HARDY, JR.

TO THE HONORABLE SUPREME COURT OF TEXAS:

Movant, ISAIAH H. HARDY, JR., moves the Court to accept his resignation as an Attorney and Counselor at Law, showing the Court:

I.

Movant hereby resigns as an Attorney and Counselor at Law in lieu of discipline for having committed professional misconduct.

II.

Movant's License and permanent State Bar card issued by the Court on September 24, 1973, are attached hereto.

III.

Movant's State Bar card number is 08993500. Movant's address is 3205 Northeast Drive, Austin, Texas 78723. Movant prays that the Court accept his resignation as an Attorney and Counselor at Law and remove his names from the list of persons licensed to practice law in the State of Texas.

Respectfully submitted,

Feb 28, 02
Date

Isiah Hardy Jr
ISAIAH H. HARDY, JR.
State Bar Card No. 08993500

IN THE SUPREME COURT OF TEXAS

**RESPONSE OF THE CHIEF DISCIPLINARY COUNSEL OF
THE STATE BAR OF TEXAS
TO MOTION FOR RESIGNATION IN LIEU OF DISCIPLINE
OF ISAAH H. HARDY, JR.**

TO THE HONORABLE SUPREME COURT OF TEXAS:

COMES NOW, Dawn Miller, Chief Disciplinary Counsel for the State Bar of Texas, and in accordance with Part X of the Texas Rules of Disciplinary Procedure, would show unto the Court as follows:

I. RESIGNATION OF MOVANT

Movant, Isaiah H. Hardy, Jr., State Bar No. 08993500, has filed his Motion for Acceptance of Resignation as Attorney and Counselor at Law, dated February 28, 2002. Such Motion for Acceptance of Resignation is in lieu of discipline for professional misconduct.

**II. ACCEPTANCE OF RESIGNATION IS IN THE
BEST INTERESTS OF THE PUBLIC AND THE PROFESSION**

The Commission for Lawyer Discipline believes that the acceptance of Movant's Motion for Acceptance of Resignation is in the best interests of the public and the profession.

III. DISCIPLINARY CHARGES

The Commission for Lawyer Discipline has information regarding the following Professional Misconduct:

On February 4, 1997, Respondent, Isaiah H. Hardy, Jr., signed an Agreed Judgment of Partially Probated Suspension wherein Respondent agreed to a four (4) year suspension of his license

to practice law. The final two (2) years of this suspension were to be probated. The terms of the agreed judgment included a supervision agreement with a monitor and compliance with the requirements of the judgment. Respondent agreed to submit to supervision by an Attorney Monitor and contact the monitor in person or by telephone weekly, or more frequently, throughout the term of the Agreed Judgment of Partially Probated Suspension. Respondent further agreed to attend one meeting of Alcoholics Anonymous per week for the entire duration of the four (4) year suspension.

Respondent failed to comply with the supervision agreement; failed to contact his attorney monitor in person or by telephone weekly or upon his own initiative; and failed to attend meetings of Alcoholics Anonymous as ordered in the Agreed Judgment of Partially Probated Suspension.

Respondent was properly served with notice by the Office of Chief Disciplinary Counsel of the filing of the State Bar of Texas Complaint, along with a notice to respond in writing to the complaint. Respondent failed to furnish to the Chief Disciplinary Counsel's office or to the District 09A Grievance Committee a written response to the State Bar of Texas Complaint and failed to assert any legal ground for his failure to do so.

Respondent further failed to appear at the Investigatory hearing to offer a defense or explanation for his conduct in connection with this Complaint. Respondent has consistently failed to claim notices sent to him via certified mail by the Office of Chief Disciplinary Counsel in connection with this Complaint.

In view of Isaiah H. Hardy, Jr.'s execution on or about February 28, 2002, of his resignation as an attorney and counselor at law, and in anticipation of the Court's acceptance of same, the Chief Disciplinary Counsel does not anticipate going forward with an evidentiary action.

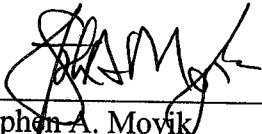
IV. PRAYER

The Commission for Lawyer Discipline prays that this Honorable Court accept the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Isaiah H. Hardy, Jr., State Bar Card No. 08993500, and that such motion to resign is in lieu of compulsory discipline of Isaiah H. Hardy, Jr., pursuant to Part X and any other applicable provisions of the Texas Disciplinary Rule of Professional Conduct.

Respectfully submitted,

Dawn Miller
Chief Disciplinary Counsel
Stephen A. Moyik
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas
P. O. Box 12487
Austin, Texas 78711-2487
(512) 453-5535
(512) 453-6667 (Fax)


By: _____


Stephen A. Moyik
State Bar Card No. 14614300

CERTIFICATE OF SERVICE

This is to certify that the above and foregoing Response has been Hand Delivered to Isaiah H. Hardy, Jr. on the 28th day of February 2002.

Stephen A. Moyik

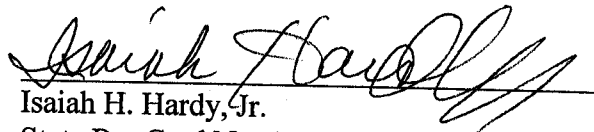

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AFFIDAVIT

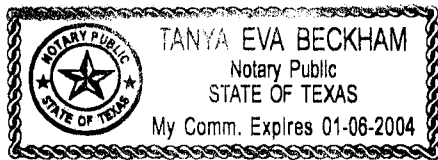
"I, Isaiah H. Hardy, Jr., have surrendered all Bar Cards, all Law Licenses, and all certificates issued to me by the Supreme Court of Texas."

"I understand that these items are the property of the Supreme Court of Texas."

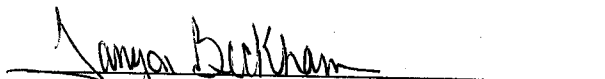
Signed this 28 day of February 2002.


Isaiah H. Hardy, Jr.
State Bar Card No. 08993500

SUBSCRIBED AND SWORN to before me by the said Isaiah H. Hardy, Jr., this the 28th day of February 2002.



(Stamp or Seal)


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Tanya Beckham
Printed Name of Notary

My Commission Expires: 1-6-04

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

April 2, 2002

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

Re: Resignation of Isaiah H. Hardy, Jr., Bar Card No. 08993500

Dear Mr. Adams:

Pursuant to your instructions I have enclosed the corrected version of the following:

- (1) Original and one (1) copy of proposed Order for review and entry by the Court accepting the resignation of Isaiah H. Hardy, Jr., as Attorney and Counselor at Law.

Upon entry of the Order by the Court, please transmit a true and correct copy of the same to the undersigned in order that this office may properly give notice to all parties of the Court's disposition of such motion.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen A. Moyik".

Stephen A. Moyik
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas

c: Mr. Isaiah H. Hardy, Jr.
3205 Northeast Drive
Austin, Texas 78723

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

March 27, 2002

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

CMRRR # 7001 0320 0003 8711 6331

Re: Resignation of Isaiah H. Hardy, Jr., Bar Card No. 08993500

Dear Mr. Adams:

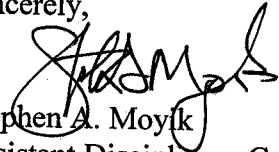
Pursuant to Part X of the Texas Rules of Disciplinary Procedure, please find enclosed herewith the following:

- (1) Motion for Acceptance of Resignation as Attorney and Counselor at Law of Isaiah H. Hardy, Jr., dated February 28, 2002;
- (2) Response of Chief Disciplinary Counsel of the State Bar of Texas to Motion for Resignation in Lieu of Discipline of Isaiah H. Hardy, Jr.;
- (3) Affidavit of Isaiah H. Hardy, Jr., dated February 28, 2002, stating that he has surrendered all bar cards, law licenses and certificates issued by the Supreme Court of Texas; and
- (4) Original and one (1) copy of proposed Order for review and entry by the Court accepting the resignation of Isaiah H. Hardy, Jr., as Attorney and Counselor at Law.

Upon entry of the Order by the Court, please transmit a true and correct copy of the same to the undersigned in order that this office may properly give notice to all parties of the Court's disposition of such motion.

Mr. John Adams, Clerk
March 27, 2002
Page 2

Sincerely,



Stephen A. Moyik
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas

c: Mr. Isaiah H. Hardy, Jr.
3205 Northeast Drive
Austin, Texas 78723

Via CMRRR # 7001 0320 0003 8711 6324