

ORDER OF THE SUPREME COURT OF TEXAS

MISC. DOCKET NO. 00- 9154

IN THE MATTER OF WALTER JOHN KOWALSKI

On this day, the Court considered the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Walter John Kowalski, together with the Response of the Chief Disciplinary Counsel to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Walter John Kowalski. The Court has reviewed said Motion and Response and finds that each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. In conformity with Part X, Section 10.02 of the Texas Rules of Disciplinary Procedure, the Court considers the detailed statement of professional misconduct contained within the Response of Chief Disciplinary Counsel to be deemed conclusively established for all purposes. The Court finds that Walter John Kowalski is resigning in lieu of compulsory discipline by reason of his acceptance of four (4) years probation for five (5) felony cases on May 3, 2000, for committing the intentional crimes of burglary of a building, unlawful possession of a controlled substance and theft of property. The Court further finds that, on August 17, 2000, in Cause Nos. F9956147J, F0070512J and F0070827J, styled *The State of Texas vs. Walter John Kowalski* in Criminal District Court Number Three, Dallas County, Texas, Kowalski's probation was revoked and Kowalski was remanded to state jail for a period of confinement of seven hundred (700) days. The Court, being advised that the acceptance of the resignation is in the best interest of the public and the profession, hereby concludes that the following Order is appropriate.

IT IS ORDERED that the law license of Walter John Kowalski of Dallas, Texas, State Bar card number 11695500, which was previously issued by this Court, be canceled and his name be dropped and deleted from the list of persons licensed to practice law in Texas.

IT IS FURTHER ORDERED that Walter John Kowalski 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 the cause of his inability to do so.

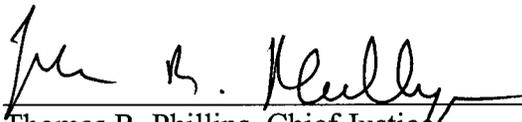
IT IS FURTHER ORDERED that Walter John Kowalski is permanently enjoined and prohibited from practicing law in the State of Texas, holding himself out as an attorney at law, performing legal services for others, giving legal advice to others, accepting any fee directly or indirectly for legal services, 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", "Counselor at Law", or "Lawyer".

It is further **ORDERED** that Walter John Kowalski shall immediately notify each of his current clients in writing of this resignation. In addition to such notification, Walter John Kowalski is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients and former clients in his possession to the respective clients or former clients or to another attorney at the client's or former client's request. Walter John Kowalski is **ORDERED** to file with the State Bar of Texas, 3710 Rawlins, Suite 800, Dallas, Texas 75219, within thirty (30) days of the date of the effective 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 as ordered herein.

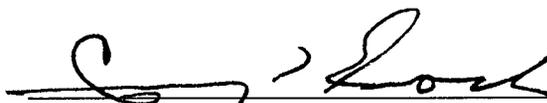
It is further **ORDERED** that Walter John Kowalski shall, within thirty (30) days after the date on which this Order is signed by the Court, notify in writing each and every justice of the peace,

judge, magistrate, and chief justice of each and every court in which Walter John Kowalski 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) Walter John Kowalski is representing in Court. Walter John Kowalski is **ORDERED** to file with the State Bar of Texas, 3710 Rawlins, Suite 800, Dallas, Texas 75219, within thirty (30) days of the date of the effective date of this Order an affidavit stating that he has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every 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.

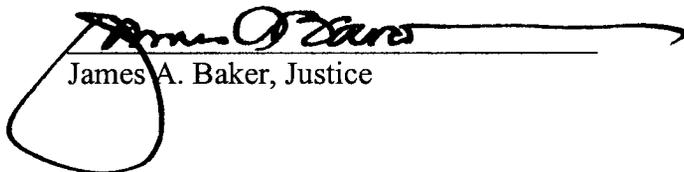
By the Court, en banc, in chambers, this the 30th day of October, 2000.

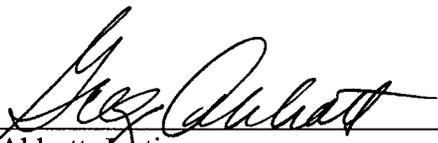

Thomas R. Phillips, Chief Justice


Nathan L. Hecht, Justice

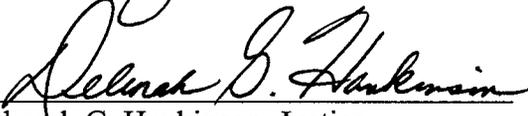

Craig T. Enoch, Justice


Priscilla R. Owen, Justice

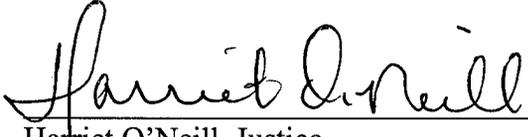

James A. Baker, Justice



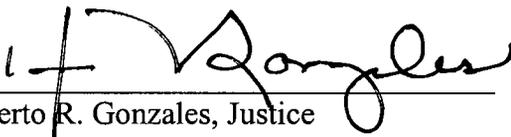
Greg Abbott, Justice



Deborah G. Hankinson, Justice



Harriet O'Neill, Justice



Alberto R. Gonzales, Justice

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

VIA AIRBORNE EXPRESS

October 24, 2000

INTERAGENCY MAIL

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

Re: Resignation of Walter John Kowalski, Bar Card No. 11695500

Dear Mr. Adams:

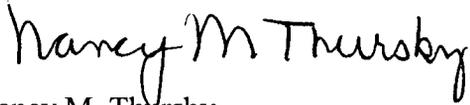
Pursuant to Part X of the Texas Rules of Disciplinary Procedure, please find enclosed herewith the following:

- 1) Motion for Acceptance of Resignation as Attorney and Counselor at Law signed by Walter John Kowalski, dated October 2, 2000 and received by the Office of the Chief Disciplinary Counsel on October 2, 2000;
- 2) Response of Chief Disciplinary Counsel of Motion to Acceptance of Resignation as Attorney and Counselor at Law of Walter John Kowalski, a copy of which was transmitted to Walter John Kowalski at least ten (10) days prior to today's date;
- 3) Original and one (1) copy of proposed Order for review and entry by the Court accepting the resignation of Walter John Kowalski as Attorney and Counselor at Law; and
- 4) Affidavit of Walter John Kowalski stating that he is unable to locate his state bar card and law license.

Please present the enclosed Order to the Court for review and entry. 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 T. Adams, Clerk
Supreme Court of Texas
Resignation of Walter John Kowalski
October 24, 2000
Page -2-

Sincerely,



Nancy M. Thursby
Regional Counsel

NMT/slk

Enclosures

cc: Walter John Kowalski
#937026
Hutchins State Jail
1500 East Langdon Road
Dallas, Texas 75241
***Via Certified Mail No. 7099 3220 0005 9144 2971,
Return Receipt Requested***

**IN THE SUPREME COURT OF TEXAS
RESPONSE OF THE CHIEF DISCIPLINARY COUNSEL
OF THE STATE BAR OF TEXAS
REGARDING
WALTER JOHN KOWALSKI**

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Nancy M. Thursby, Regional Counsel of the State Bar of Texas, in accordance with Part X of the Texas Rules of Disciplinary Procedure, hereby file a response on behalf of the State Bar of Texas, acting by and through the Commission for Lawyer Discipline, to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Walter John Kowalski, dated on or about October 2, 2000, and received by the Office of the Chief Disciplinary Counsel on or about October 2, 2000. The acceptance of the resignation of Walter John Kowalski, State Bar Card No. 11695500 (hereinafter referred to as "Kowalski") is in the best interests of the public and the profession.

The following complaints are currently pending against Kowalski before investigatory panels of the District 6A Grievance Committee. The professional misconduct with which Kowalski is charged in the complaints currently pending before investigatory panels are as follows:

A. Dorothy Buie - Walter John Kowalski, D0070015104

On or about December 29, 1999, Complainant Dorothy Buie hired Kowalski to represent her in a divorce. Kowalski was paid \$249.00. Kowalski stated to Complainant Buie that she would have her divorce papers within fifteen (15) days. Thereafter, Complainant Buie attempted on numerous occasions to contact Kowalski but was never able to speak with him. Employees in Kowalski's office represented to Complainant Buie that her case had been filed when in fact, it had not.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 8.04(a)(2) and 8.04(a)(3) of the Texas Disciplinary Rules of Professional Conduct.

B. Eduviges Davila - Walter John Kowalski, D0090015368

On or about June 16, 2000, Complainant Eduviges Davila hired Kowalski to represent her in a divorce. Kowalski was paid \$100.00 on this date and \$589.00 on June 19, 2000. Kowalski failed to file the Petition for Divorce and failed to return Complainant Davila's money.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.15(d) and 8.04(a)(2) of the Texas Disciplinary Rules of Professional Conduct.

C. Otha Hampton, Jr. - Walter John Kowalski, D0080015271

On or about May 7, 1999, Complainant Otha Hampton, Jr. hired and paid Kowalski \$349.00 for representation in a divorce. Between May 1999 and October 1999, Complainant Hampton paid Kowalski additional fees in the amount of \$1,125.00. Thereafter, Complainant attempted to ascertain the status of his case on numerous occasions. After contacting the Tarrant County District Clerk's Office and being informed that his divorce case had not been filed, Complainant Hampton spoke with an employee in Kowalski's office who assured him that the petition would be filed and that a court date would be set by June 2000. In late June 2000, Complainant Hampton attempted to telephone Kowalski's law office on numerous occasions, but there was no answer. Thereafter, it was necessary for Complainant Hampton to again contact the Tarrant County District Clerk to ascertain the status of his case. Complainant Hampton was advised that his case had been dismissed for want of prosecution. Complainant Hampton was required to file a *pro se* Motion to Reinstate Case on Docket due to Kowalski's failure to process the case.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

D. Debora Padgett - Walter John Kowalski, D0070015157

On or about September 23, 1999, Complainant Debora Padgett hired Kowalski to represent her in a divorce. Kowalski was paid a total of \$899.00 for the representation. Kowalski failed to respond to numerous requests for information about the status of Complainant Padgett's case. Kowalski filed the Petition for Divorce but failed to do any further legal work on the matter.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2), 1.03(a) and 8.04(a)(2) of the Texas Disciplinary Rules of Professional Conduct.

E. Les Trelinski - Walter John Kowalski, D0080015299

On or about July 31, 1999, Complainant Les Trelinski hired Kowalski to represent him in a divorce. Kowalski was paid a total of \$698.00 for the representation. Kowalski failed to respond to numerous requests for information about the status of Complainant Trelinski's case.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

F. Audrey Whitfield - Walter John Kowalski, D0090015384

On or about July 21, 1999, Complainant Audrey Whitfield hired Kowalski to represent her in a divorce. Kowalski was paid a total of \$699.00 for the representation. Kowalski failed to file the Petition for Divorce until November 8, 1999. In or about May 2000, Complainant Whitfield contacted Kowalski's law

office and was informed that Kowalski was no longer with the office and that additional fees in the amount of \$58.00 were required to go forward with her case. On or about July 12, 2000, Complainant Whitfield contacted the law office and was informed that attorney Keith Walker would handle her case provided she pay additional fees in the amount of \$521.00.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

G. Rhonda Wiley - Walter John Kowalski, D0080015347

On or about March 29, 2000, Complainant Rhonda Wiley hired Kowalski to represent her in a divorce. Kowalski was paid a total of \$249.00 for the representation, but failed to perform any legal services. Upon contacting Kowalski's law office, Complainant Wiley was informed that Kowalski no longer works there.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

H. Maxine Williams - Walter John Kowalski, D0070015109

On or about August 25, 1999, Complainant Maxine Williams hired Kowalski to represent her in a divorce. Kowalski was paid a total of \$449.00 for the representation. Kowalski failed to perform any legal work on the matter and failed to keep Complainant Williams apprised of the status of her matter.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

I. Julieta Zumbado - Walter John Kowalski, D0060014927

On or about January 30, 2000, Complainant Julieta Zumbado hired Kowalski to represent her in a divorce. Kowalski was paid a total of \$449.00 for the representation. After Complainant Zumbado made the final payment on March 24, 2000, she began calling Kowalski's office to request information about the status of her divorce. Kowalski was never in his office to accept her calls, and never returned any of Complainant Zumbado's calls. Kowalski failed to perform any legal services on Complainant Zumbado's behalf.

On or about June 20, 2000, Kowalski received notice and a copy of the complaint by certified mail, return receipt requested. Kowalski was requested to respond, in writing, within thirty (30) days of receipt of the notice, but failed to do so and failed to assert any grounds for such failure.

The above facts support a violation of Rules 1.01(b)(1), 1.03(a), 8.04(a)(1) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

The following disciplinary actions are currently pending against Kowalski before an evidentiary panel of the District Grievance Committee. The professional misconduct with which Kowalski is charged in the disciplinary actions currently pending before an evidentiary panel is as follows:

J. Nancy Collins - Walter John Kowalski, D0050014863

On or about July 22, 1999, Complainant Nancy Collins employed Kowalski to represent her in a divorce. Kowalski was paid \$774.00. On September 27, 1999, Kowalski filed the Original Petition for Divorce. Thereafter, Kowalski was not able to serve Complainant Collins' husband. On November 5, 1999, Kowalski filed a Motion for Alternate Service which was granted on January 11, 2000. After the Order was entered, Kowalski failed to make any attempt to serve Complainant Collins' husband. Subsequently, Complainant Collins' divorce was placed on the August 10, 2000 dismissal docket. Kowalski failed to take any action to prevent the dismissal; instead on August 10, 2000, Complainant Collins requested, and was granted, a sixty (60) day continuance.

The above facts support a violation of Rules 1.01(b)(1) and 8.04(a)(1) of the Texas Disciplinary Rules of Professional Conduct.

K. Alicia Cruz - Walter John Kowalski, D0050014794

On or about November 27, 1999, Complainant Alicia Cruz employed Kowalski to represent her in a divorce and paid Kowalski \$1,698.00. Thereafter, Kowalski failed to serve Complainant Cruz's husband and failed to perform the legal services for which he was hired.

On or about June 16, 2000, Kowalski received notice and a copy of the complaint by certified mail, return receipt requested. Kowalski was requested to reply, in writing, within thirty (30) days of receipt, but failed to do so and asserted no grounds for his failure to respond.

The above facts support a violation of Rules 1.01(b)(1), 8.04(a)(1) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

L. Jamal Dahir - Walter John Kowalski, D0050014790

On or about March 13, 1999, Complainant Jamal Dahir employed Kowalski to represent him in a child custody matter and paid Kowalski \$1,350.00. Thereafter, Kowalski failed to provide any legal services for which he was employed and failed to appear at any hearings.

On or about June 16, 2000, Kowalski received notice and a copy of the complaint by certified mail, return receipt requested. Kowalski was requested to reply, in writing, within thirty (30) days of receipt, but failed to do so and asserted no grounds for his failure to respond.

The above facts support a violation of Rules 1.01(b)(1), 8.04(a)(1) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

M. Laura Jennings - Walter John Kowalski, D0050014810

On or about July 15, 1999, Complainant Laura Jennings employed Kowalski to overturn a decree requiring Complainant Jennings to pay child support on a child that was not Complainant Jennings' birth child. Complainant Jennings paid Kowalski \$900.00. Thereafter, Kowalski failed to perform any legal services on Complainant Jennings' behalf and failed to respond to Complainant Jennings' proper requests for information about the matter.

On or about June 16, 2000, Kowalski received notice and a copy of the complaint by certified mail, return receipt requested. Kowalski was requested to reply, in writing, within thirty (30) days of receipt, but failed to do so and asserted no grounds for his failure to respond.

The above facts support a violation of Rules 1.01(b)(1), 1.03(a), 8.04(a)(1) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

N. Maria Rojas - Walter John Kowalski, D0040014643

On or about March 23, 1999, Complainant Maria Rojas employed Kowalski to represent her in a divorce and paid Kowalski \$884.00. Complainant Rojas was pregnant at the time she employed Kowalski; however, Kowalski failed to inform Complainant Rojas that the divorce could not be finalized until after the birth of the child. Instead, Kowalski scheduled a prove-up hearing for July 14, 1999. An attorney associate of Kowalski's appeared and informed Complainant Rojas that the prove-up could not be held, and the prove-up was not conducted. Subsequently, Complainant Rojas' matter was dismissed for want of prosecution, but Kowalski failed to notify Complainant Rojas of the dismissal. After the birth of her child, Complainant Rojas requested information from Kowalski about the status of her case, but he failed to respond to her inquiry.

On or about May 15, 2000, Kowalski received notice and a copy of the complaint by certified mail, return receipt requested. Kowalski was requested to reply, in writing, within thirty (30) days of receipt, but failed to do so and asserted no grounds for his failure to respond.

The above facts support a violation of Rules 1.01(b)(1), 1.03(a), 1.03(b), 8.04(a)(1) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

O. Roderick Young - Walter John Kowalski, D0050014760

On or about July 24, 1999, Complainant Roderick Young employed Kowalski to represent him in a divorce and paid Kowalski \$449.00. Shortly thereafter, Complainant Young paid Kowalski an additional \$350.00 to consolidate a Texas Attorney General's child support arrearage case with the divorce. A prove-up hearing was set for the divorce for January 29, 2000; however, Kowalski failed to file the Motion to Consolidate. As a result of Kowalski's failure to file the Motion to Consolidate, the Court decided not to grant the divorce. Subsequently, Complainant Young employed other counsel to complete his matters. Further, Kowalski failed to respond to Complainant Young's proper requests for information about the matters and misrepresented to Complainant Young that the matters had been consolidated when they had not.

On or about May 15, 2000, Kowalski received notice and a copy of the complaint by certified mail, return receipt requested. Kowalski was requested to reply, in writing, within thirty (30) days of receipt, but failed to do so and asserted no grounds for his failure to respond.

The above facts support a violation of Rules 1.01(b)(1), 1.03(a), 8.04(a)(1), 8.04(a)(3) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

A compulsory discipline action styled *In the Matter of Walter John Kowalski*, Cause No. 20753, is currently pending against Kowalski before the Board of Disciplinary Appeals. The professional misconduct with which Kowalski is charged in the compulsory discipline action currently pending before the Board of Disciplinary Appeals is as follows:

Kowalski pled guilty and was placed on probation without an adjudication of guilt in the following five (5) felony cases:

1. On or about May 3, 2000, Kowalski pled guilty to the crime of burglary of a building in Cause No. F99-56147-RJ in the Indictment styled *The State of Texas vs. Walter John Kowalski* in the Criminal District Court Number Three, Dallas County, Texas, as a result of which Kowalski was placed on community supervision for a period of four (4) years. Kowalski was also ordered to pay a fine in the amount of \$300.00 and court costs in the amount of \$197.25.
2. On or about May 3, 2000, Kowalski pled guilty to the crime of unlawful possession of a controlled substance in Cause No. F99-55780-RJ in the Indictment styled *The State of Texas vs. Walter John Kowalski* in the Criminal District Court Number Three, Dallas County, Texas, as a result of which Kowalski was placed on community supervision for a period of five

(5) years. Kowalski was also ordered to pay a fine in the amount of \$300.00 and court costs in the amount of \$197.25.

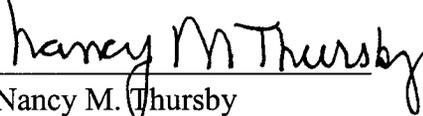
3. On or about May 3, 2000, Kowalski pled guilty to the crime of theft in Cause No. F99-73202-RJ in the Indictment styled *The State of Texas vs. Walter John Kowalski* in the Criminal District Court Number Three, Dallas County, Texas, as a result of which Kowalski was placed on community supervision for a period of five (5) years. Kowalski was also ordered to pay a fine in the amount of \$300.00 and court costs in the amount of \$197.25.
4. On or about May 3, 2000, Kowalski pled guilty to the crime of unlawful theft of property in Cause No. F00-70512-RJ in the Indictment styled *The State of Texas vs. Walter John Kowalski* in the Criminal District Court Number Three, Dallas County, Texas, as a result of which Kowalski was placed on community supervision for a period of four (4) years. Kowalski was also ordered to pay a fine in the amount of \$300.00 and court costs in the amount of \$197.25.
5. On or about May 3, 2000, Kowalski pled guilty to the crime of unlawful theft of property in Cause No. F00-70827-RJ in the Indictment styled *The State of Texas vs. Walter John Kowalski* in the Criminal District Court Number Three, Dallas County, Texas, as a result of which Kowalski was placed on community supervision for a period of four (4) years. Kowalski was also ordered to pay a fine in the amount of \$300.00 and court costs in the amount of \$197.25.

On or about August 17, 2000, the Court revoked Kowalski's Community Supervision in Cause No. F99-56147-RJ and Kowalski was remanded to state custody at Hutchins State Jail for a period of seven hundred (700) days.

The offenses to which Kowalski pled guilty are felony offenses and constitute "intentional crimes" as the term is defined in Section 1.06(O) of the Texas Rules of Disciplinary Procedure. Pursuant to Sections 8.01, et. seq., of the Texas Rules of Disciplinary Procedure, Kowalski is subject to compulsory discipline proceedings before the Board of Disciplinary Appeals. Further, pursuant to Section 8.05, an attorney shall be disbarred when the attorney has been convicted of an "intentional crime."

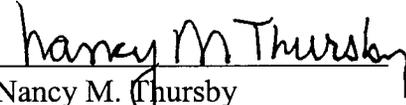
In view of Walter John Kowalski's execution on or about October 2, 2000, of his resignation as an attorney and counselor at law, and in anticipation of the Court's acceptance of same, the Chief

Disciplinary Counsel does not anticipate going forward with the pending proceedings before the investigatory panels, the evidentiary panel and the Board of Disciplinary Appeals and intends to dismiss the disciplinary proceedings and disciplinary actions, including the compulsory discipline proceeding, upon entry of Order by the Supreme Court of Texas deleting Walter John Kowalski from the list of persons licensed to practice law in the State of Texas.


Nancy M. Thursby
Regional Counsel
State Bar of Texas

CERTIFICATE OF SERVICE

A true and correct copy of this Response of the Chief Disciplinary Counsel of the State Bar of Texas Regarding Walter John Kowalski, has on this 11 day of October, 2000, been mailed to Walter John Kowalski at Hutchins State Jail, 1500 East Langdon Road, Dallas, Texas 75241, by certified mail, return receipt requested.


Nancy M. Thursby

**IN THE SUPREME COURT OF TEXAS
MOTION FOR ACCEPTANCE OF RESIGNATION AS
ATTORNEY AND COUNSELOR AT LAW**

OF

WALTER JOHN KOWALSKI

NOW COMES your Applicant, **Walter John Kowalski**, and hereby resigns as an Attorney and Counselor at Law in the State of Texas; and hereby submits to the Court his resignation as an Attorney and Counselor at Law; and prays that the Court accept said resignation.

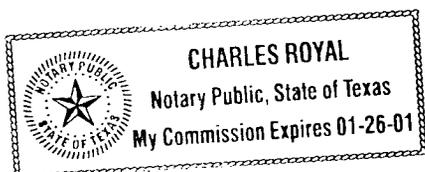
Attached hereto is an affidavit of Applicant, **Walter John Kowalski**, declaring that the License and permanent State Bar card issued by this Court to the Applicant, **Walter John Kowalski**, as an Attorney and Counselor at Law on February 4, 1983, is presently lost or destroyed and could not be located despite diligent search. Said License and permanent State Bar card will be surrendered by the Applicant, **Walter John Kowalski**, should they be located at a future date.

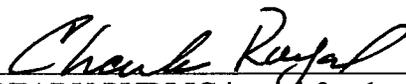
Your applicant is voluntarily resigning and withdrawing from the practice of law; Applicant does so in lieu of compulsory discipline for professional misconduct; and Applicant prays that his name be dropped and deleted from the list of persons licensed to practice law in Texas; and that his resignation be accepted.



WALTER JOHN KOWALSKI
State Bar No. 11695500

SUBSCRIBED AND SWORN to before me by the said Walter John Kowalski this
the 2 day of October, 2000.





NOTARY PUBLIC in and for the State of Texas

AFFIDAVIT OF
WALTER JOHN KOWALSKI

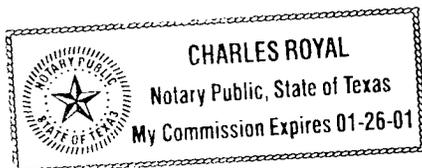
On this 2 day of October, 2000, personally appeared before me, the undersigned **Walter John Kowalski**, who, after being duly sworn, did state upon his oath:

"My name is **Walter John Kowalski**, and I am over the age of eighteen years and am competent to make this affidavit in all respects, and am personally acquainted with the facts in this Affidavit."

"I am an attorney licensed in the State of Texas. My bar card number is 11695500. I am unable to locate my License and permanent State Bar Card at this time. Should these items that are property of the Supreme Court of Texas be located, I will immediately surrender and forward to the Supreme Court of Texas."


WALTER JOHN KOWALSKI
Texas Bar No. 11695500

SWORN TO AND SUBSCRIBED BEFORE ME on this the 2 day of October, 2000.




Notary Public in and for the State of Texas