

ORDER OF THE SUPREME COURT OF TEXAS

MISC. DOCKET NO. 9156

IN THE MATTER OF CHARLES NORMAN STONE

The Court has reviewed the Motion for Acceptance of Resignation as Attorney and Counselor at Law of [Respondent] 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 Charles Norman Stone 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 Charles Norman Stone's resignation is in the best interest of the public and the profession.

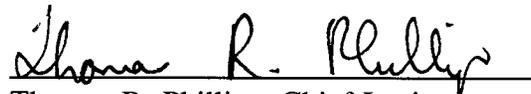
Therefore, the law license of Charles Norman Stone of Donna, Texas, State Bar Card Number 19286500, is canceled. Charles Norman Stone must immediately surrender his State Bar Card and Texas law license to the Clerk of the Supreme Court of Texas or file with the court an affidavit stating why he cannot.

Charles Norman Stone is now 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," "Counselor at Law," or "Lawyer."

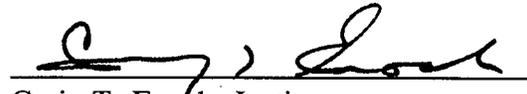
Additionally, Charles Norman Stone must immediately notify in writing each of his current clients of his resignation. He shall also return any files, papers, unearned monies and other property in his possession belonging to any client or former client to the respective client or former client or to another attorney at the client's or former client's request. Charles Norman Stone shall file with the State Bar of Texas, Office of the General Counsel, 425 Soledad, Suite 300, San Antonio, Texas 78205, 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, Charles Norman Stone 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 Charles Norman Stone 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) Charles Norman Stone is representing in court. Charles Norman Stone shall file with the State Bar of Texas, Office of the General 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.

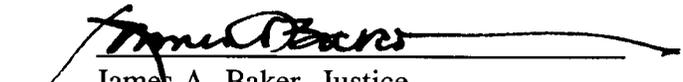
IT IS ORDERED the 10th day of November, 2000.


Thomas R. Phillips, Chief Justice

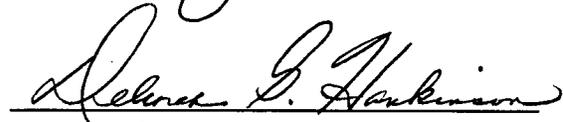

Nathan L. Hecht, Justice

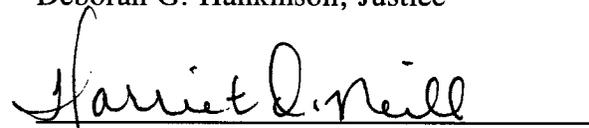

Craig T. Enoch, Justice

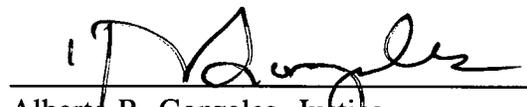

Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Alberto R. Gonzales, Justice

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

OF

CHARLES NORMAN STONE

MISC. DOCKET NO. _____

NOW COMES Applicant, Charles Norman Stone, State Bar No. 19286500, and hereby resigns as an Attorney and Counselor at Law in the State of Texas. Applicant hereby submits to the Court his resignation as an Attorney and Counselor at Law; and prays that the Court accept said resignation.

I.

The License and permanent State Bar card issued by this Court to the Applicant, Charles Norman Stone, as an Attorney and Counselor at Law on May 4, 1990 have been lost. Applicant represents to the Court that should Applicant find his license and/or permanent State Bar card, Applicant will immediatly surrender same to the Court.

II.

In connection with such resignation, Applicant acknowledges the following findings of fact and conclusions of law:

S2079902671 Alicia Saenz - Charles Norman Stone

(1) Applicant is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.

(2) Complainant, Alicia Saenz, hired Applicant on October 15, 1996 to represent her in a personal injury case arising from an injury sustained at an H.E.B. store in Mercedes, Texas on June, 20, 1996. Complainant believes Applicant came to an agreement with the insurance

adjuster and a settlement check in the amount of \$1,200.00 was received by Applicant in or about November 1997. Applicant had Complainant endorse the check and sign a Release.

(3) After Complainant signed the settlement check, Applicant failed to disburse any funds to Complainant.

(4) Applicant failed to deposit the settlement funds in his trust account.

(5) Applicant failed to maintain client funds separate from his own funds.

(6) Applicant neglected the legal matter entrusted to him by failing to disburse the settlement funds to Complainant and frequently failed to carry out completely the obligations owed to his client.

(7) Applicant failed to keep Complainant reasonably and accurately informed concerning the status of her settlement funds.

(8) Applicant collected an unconscionable fee by keeping the entire settlement amount for himself and failing to disburse any portion of the settlement to Complainant.

(9) Applicant settled Complainant's case, but failed to provide her with a disbursement statement.

(10) Applicant has engaged in a criminal act by misappropriating the settlement funds for his own use.

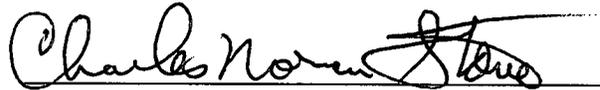
(11) Applicant misled and deceived Complainant concerning the status of her settlement funds by having her sign the settlement check and advising her that the check needed to be "reprocessed" due to an error on the check.

(12) Applicant further acknowledges that by his conduct he has violated Rules 1.14(a), 1.14(b), 1.14(c), 1.01(b)(2), 1.03(a), 1.04(a), 1.04(d), 8.04(a)(2), and 8.04(a)(3) of the Texas

Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules, effective January 1, 1990.

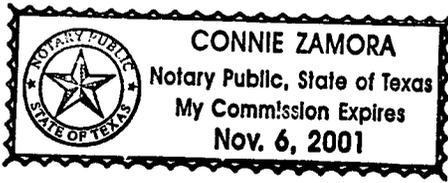
III.

Applicant is voluntarily resigning and withdrawing from the practice of law and does so in lieu of discipline for professional misconduct. 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.



Charles Norman Stone
State Bar No. 19286500

SUBSCRIBED AND SWORN to before me by the said Charles Norman Stone this the 1st day of September, 2000.



NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

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

OF

CHARLES NORMAN STONE

MISC. DOCKET NO. _____

TO THE HONORABLE SUPREME COURT OF TEXAS:

Pursuant to Part X of the Texas Rules of Disciplinary Procedure, the Chief Disciplinary Counsel of the State Bar of Texas, acting by and through the Commission for Lawyer Discipline, hereby files this Response to the Motion for Acceptance of Resignation in Lieu of Discipline filed by Charles Norman Stone and would show as follows:

I.

The acceptance by the Court of the Resignation of Charles Norman Stone is in the best interest of the public and of the profession.

II.

In connection with such resignation, Applicant acknowledges the following findings of fact and conclusions of law:

S2079902671 Alicia Saenz - Charles Norman Stone

(1) Applicant is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.

(2) Complainant, Alicia Saenz, hired Applicant on October 15, 1996 to represent her in a personal injury case arising from an injury sustained at an H.E.B. store in Mercedes, Texas

on June, 20, 1996. Applicant came to an agreement with the insurance adjuster and a settlement check in the amount of \$1,200.00 was received by Applicant in November 1997. Applicant had Complainant endorse the check and sign a Release.

(3) After Complainant signed the settlement check, Applicant failed to disburse any funds to Complainant.

(4) Applicant failed to deposit the settlement funds in his trust account.

(5) Applicant failed to maintain client funds separate from his own funds.

(6) Applicant neglected the legal matter entrusted to him by failing to disburse the settlement funds to Complainant and frequently failed to carry out completely the obligations owed to his client.

(7) Applicant failed to keep Complainant reasonably and accurately informed concerning the status of her settlement funds.

(8) Applicant collected an unconscionable fee by keeping the entire settlement amount for himself and failing to disburse any portion of the settlement to Complainant.

(9) Applicant settled Complainant's case, but failed to provide her with a disbursement statement.

(10) Applicant has engaged in a criminal act by misappropriating the settlement funds for his own use.

(11) Applicant misled and deceived Complainant concerning the status of her settlement funds by having her sign the settlement check and advising her that the check needed to be "reprocessed" due to an error on the check.

(12) Applicant further acknowledges that by his conduct he has violated Rules 1.14(a), 1.14(b), 1.14(c), 1.01(b)(2), 1.03(a), 1.04(a), 1.04(d), 8.04(a)(2), and 8.04(a)(3) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules, effective January 1, 1990.

III.

WHEREFORE, the State Bar of Texas moves the Court to accept the resignation in lieu of discipline and grant the motion filed by Movant.

Respectfully Submitted,

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



Paul H. Homburg III
State Bar No. 09934050
Assistant Disciplinary Counsel

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been served upon Charles Norman Stone at P.O. Box 2792, San Juan, Texas 78589, by certified mail, return receipt requested # 7099 3220 0000 0579 4689 on this 6th day of September, 2000.



Paul H. Homburg III

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

October 23, 2000

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

CM/RRR #7099 3220 0000 0579 6393

RE: Misc. Docket No. _____; Grievance File No. S2079902671; *Commission for Lawyer Discipline v. Charles Norman Stone, SBN 19286500*

Dear Mr. Adams:

Enclosed for filing is the original and three copies of the following resignation paperwork on attorney Charles Norman Stone, SBN 19286500:

1. Applicant's Motion for Acceptance of Resignation as Attorney and Counselor at Law;
2. Commission for Lawyer Discipline's Response to Motion for Acceptance of Resignation as Attorney and Counselor at Law;
3. Order of the Supreme Court.

Please file-stamp the extra copy of the motion and the response and return them to us in the envelope provided.

Thank you for your attention to this matter. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Paul H. Homburg III
Assistant Disciplinary Counsel

Enclosures

425 Soledad, Suite 300, San Antonio, Texas, 78205, (210) 271-7881