

C O R R E C T E D

ORDER OF THE SUPREME COURT OF TEXAS

9099

Misc. Docket No. 01-----

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

The Supreme Court of Texas hereby appoints the Honorable Paul R. Davis, Judge of the 200th District Court of Travis County, Texas, to preside in the Disciplinary Action styled:

The Commission for Lawyer Discipline v. Samuel W. Hudson, III

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

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

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

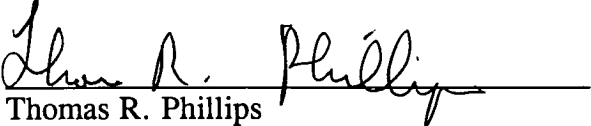
With the Seal thereof affixed at the City
Of Austin, this 22nd day of June, 2001.



JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 01-9099, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 14 day of June, 2001.


Thomas R. Phillips
Chief Justice



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK
JOHN T. ADAMS

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON
HARRIET O'NEILL
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EXECUTIVE ASSISTANT
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

A D M I N I S T R A T I V E
ASSISTANT
NADINE SCHNEIDER

June 26, 2001

Ms. Lisa M. Holt
Asst. Gen. Counsel
State Bar of Texas
3710 Rawlins, Suite 800
Dallas, Texas 75219

Mr. Samuel W. Hudson, III
2730 Stemmons Freeway
1000 Stemmons Tower West
Dallas, Texas 75207-2252

Please find enclosed, a *corrected* miscellaneous docket order No. 01-9099. Please substitute this order for the one that was previously sen to you.

Sincerely,

A handwritten signature in black ink, appearing to be "John T. Adams", written over a circular stamp or seal.

John T. Adams
Clerk

Encl.

cc: Hon. Paul R. Davis
Mr. Jim Hamlin

ORDER OF THE SUPREME COURT OF TEXAS
Misc. Docket No. 9099

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

The Supreme Court of Texas hereby assigns the Honorable Dan Beck, Judge of the 155th District Court of Fayette County, Texas, to preside in the Disciplinary Action styled:

The Commission for Lawyer Discipline v. Donald C. McLeaish

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

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

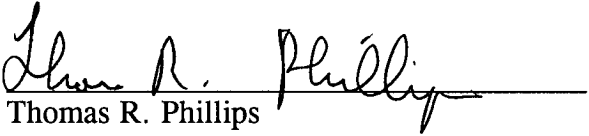
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City
of Austin, this ~~22~~²³ day of June, 2001.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 01-9099, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 14 day of June, 2001.


Thomas R. Phillips
Chief Justice

NO. _____

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
V.	§	DALLAS COUNTY, TEXAS
SAMUEL W. HUDSON, III	§	_____ JUDICIAL DISTRICT

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complains of Respondent, Samuel W. Hudson, III, (hereinafter called "Respondent"), showing the Court:

I.

Discovery Control Plan

Pursuant to Rules 190.1 and 190.3, TEXAS RULES OF CIVIL PROCEDURE (TRCP), Petitioner intends discovery in this case to be conducted under the Level II Discovery Control Plan.

II.

Petitioner brings this disciplinary action pursuant to the State Bar Act, Tex. Gov't. Code Ann. §81.001, et seq. (Vernon 1988), the Texas Disciplinary Rules of Professional Conduct and the Texas Rules of Disciplinary Procedure. The complaint which forms the basis of the Disciplinary Petition was filed on or after May 1, 1992.

III.

Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas. Respondent is a resident of and has his principal place of practice in Dallas County, Texas.

Multi-Process Servers will serve citation on Respondent at 2730 Stemmons Freeway, 1000 Stemmons Tower West, 10th Floor, Dallas, Texas 75207-2252.

IV.

Karen Mason ("Mason") was involved in an automobile accident and was hospitalized. During her hospitalization, Mason was approached by a man who referred her to Charlie Parker ("Parker") for legal assistance relative to her accident. Mason subsequently met with Parker who inferred that he was an attorney employed with Respondent's law firm. Parker represented to Mason that if she hired Respondent's firm to represent her in her personal injury case, his office would assist her with getting her car repaired and her medical bills paid. Mason signed an agreement with Respondent on July 28, 1997. Thereafter, Mason learned that Parker was actually an investigator with Respondent's firm. In addition, Mason's case was handled almost entirely by Respondent's Paralegal, Bernard Hanyard ("Hanyard"), and Mason had difficulty communicating with Respondent. In a demand letter dated January 13, 1998, Hanyard falsely stated that Mason had made a substantial recovery when in fact Mason was undergoing medical treatment with the possibility of surgery. On June 1, 1999, Respondent sent Mason a letter informing her that Respondent was withdrawing from her case. The statute of limitations on Mason's case was to run on July 25, 1999.

V.

Such acts and/or omissions on the part of Respondent as described in Paragraph IV hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(b), 1.03(a), 1.15(d), 4.01(a), 5.03(a),(b), 5.05(b), and 7.03(b),(d) of the Texas Disciplinary Rules of Professional Conduct.

VI.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of Chief Disciplinary Counsel of the State Bar of Texas by Karen Mason filing a complaint on or about October 1, 1999.

PRAYER

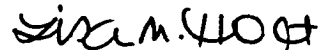
WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

Respectfully submitted,

Dawn Miller
Chief Disciplinary Counsel

Lisa M. Holt
Assistant Disciplinary Counsel

State Bar of Texas
Litigation - Dallas
3710 Rawlins
Suite 800
Dallas, Texas 75219
(214) 559-4353
FAX (214) 559-4335



Lisa M. Holt
State Bar Card No. 24026068

ATTORNEYS FOR PETITIONER

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

April 24, 2001

CMRRR NO. 7000 1670 0013 5409 5291

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

RE: Commission for Lawyer Discipline v. Samuel W. Hudson, III

Dear Mr. Adams:

Enclosed please find an original and two (2) copies of a Disciplinary Petition being filed by the Commission for Lawyer Discipline against Samuel W. Hudson, III. Mr. Hudson has designated Dallas County, Texas, 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 resides 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:

**Samuel W. Hudson, III
2730 Stemmons Freeway
1000 Stemmons Tower West
Dallas, Texas 75207-2252**

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to: (1) whether he or she will be able to comply with the 180 day deadline by which the case must be set for trial 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.

Regency Plaza, 3710 Rawlins, Suite 800, Dallas, Texas 75219
Telephone: (214) 559-4353 Fax: (214) 559-4335

John T. Adams, Clerk

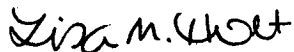
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Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Dallas County, Texas, with the request that the suit be filed, service be obtained, and a file-marked copy of the petition be returned to the undersigned.

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

Thank you for your courtesies in this matter.

Sincerely,



Lisa M. Holt

Assistant Disciplinary Counsel

Enclosures



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

JUSTICES
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CLERK
JOHN T. ADAMS

EXECUTIVE ASSISTANT
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

JUN 25 2001

Ms. Lisa M. Holt
Assistant General Counsel, State Bar of Texas
3710 Rawlins, Suite 800
Dallas, Texas 75219

Mr. Samuel W. Hudson, III
2730 Stemmons Freeway
1000 Stemmons Tower West
Dallas, Texas 75207-2252

Dear Ms. Holt and Mr. Hudson:

Pursuant to Rule 3.02 of the Texas Rules of Disciplinary Procedure, I hereby notify you that the Supreme Court of Texas has appointed the Honorable Paul R. Davis, Judge of the 200th District Court, Austin, Texas to preside in

Commission for Lawyer Discipline v. Samuel W. Hudson, III

Sincerely,

SIGNED

John T. Adams
Clerk



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK
JOHN T. ADAMS

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EXECUTIVE ASSISTANT
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DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

JUN 25 2001

Honorable Paul R. Davis
Judge, 200th District Court
Post Office Box 1748
Austin, Texas 78767-1748

Dear Judge Davis:

We enclose for your information a copy of the order of assignment, a copy of the Disciplinary Action, a copy of the notification letter to Ms. Holt and Mr. Hudson, and a copy of the letter to the District Clerk of Dallas County.

We then recommend that, either before or immediately after you set the case for trial, the Dallas County District Court Administrative Office (214-653-6510) be contacted to reserve a courtroom, provide for a court reporter, etc. Finally, you should contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned (214-653-2943) to obtain information on lodging, allowable expenses, and claims forms for your expenses incident to presiding over this disciplinary case.

Sincerely,

SIGNED

John T. Adams
Clerk



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

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WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

JUN 25 2001

The Honorable Jim Hamlin
District Clerk of Dallas County
George L. Allen Courts Building
600 Commerce Street
Dallas, Texas 75202

Dear Mr. Hamlin:

Pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure, I am sending for filing State Bar of Texas Disciplinary Action styled: *The Commission for Lawyer Discipline v. Samuel H. Hudson, III*, and a copy of the Supreme Court's order appointing the Honorable Paul R. Davis, Jr., Judge of the 200th District Court of Austin, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Honorable Paul R. Davis
Ms. Lisa M. Holt
Mr. Samuel W. Hudson, III