

ORDER OF THE SUPREME COURT OF TEXAS

Misc. Docket No. 02 - **9106**

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

The Supreme Court of Texas hereby appoints the Honorable Ralph H. Walton, Jr., Judge of the 355th District Court of Hood County, Texas, to preside in the Disciplinary Action styled

**The Commission for Lawyer Discipline v. Rowena Jenkins Daniels**

filed in the District Court of Hopkins County, Texas.

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

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

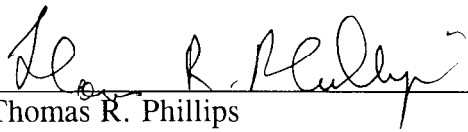
With the Seal thereof affixed at the City  
Of Austin, this 7<sup>th</sup> day of June, 2002.



JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 02-9106, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code, §74.057.

Signed this 10 day of June, 2002.

  
\_\_\_\_\_  
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

JUN 14 2002

EXECUTIVE ASSISTANT  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST  
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

JAMES A. BAKER  
DEBORAH L. HASKINS

HARRIET O'NEILL  
WALLACE B. JEFFERSON  
Assistant Disciplinary Counsel, State Bar of Texas

XAVIER R. ROBERTS  
3710 Rawlins, Suite 800

Dallas, Texas 75219

Ms. Rowena Jenkins Daniels  
c/o John Gladney  
Arena Tower Two  
7324 Southwest Freeway, Suite 800  
Houston, Texas 77074

Dear Ms. Holt and Ms. Daniels:

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 Ralph H. Walton, Jr., Judge of the 355<sup>th</sup> District Court, Granbury, Texas to preside in

*Commission for Lawyer Discipline v. Rowena Jenkins Daniels*

Sincerely,

SIGNED

John T. Adams  
Clerk



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ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

JUN 14 2002

Honorable Ralph H. Walton, Jr.  
Judge, 355<sup>th</sup> District Court  
20 Courthouse  
100 E. Pearl Street  
Granbury, Texas 76048

Dear Judge Walton:

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. Daniels and Ms. Holt, and a copy of the letter to the District Clerk of Hopkins County.

It is recommended that, a month or six weeks after receipt of this letter, you or your coordinator contact the District Clerk of Hopkins County to find out the district court to which this disciplinary case has been assigned, names and addresses of counsel, etc. We then recommend that, either before or immediately after you set the case for trial, you contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned (214-653-2943) to reserve a courtroom, obtain a court reporter, obtain claims forms for your expenses incident to presiding over this disciplinary case.

Sincerely,

SIGNED

John T. Adams  
Clerk



# The Supreme Court of Texas

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THOMAS R. PHILLIPS

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ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

JUN 14 2002

The Honorable Patricia Dorner  
District Clerk of Hopkins County  
P.O. Box 391  
Sulphur Springs, Texas 75483

Dear Ms. Dorner:

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. Rowena Jenkins Daniels*, and a copy of the Supreme Court's order appointing the Honorable Ralph H. Walton, Jr., Judge of the 355<sup>th</sup> District Court, Granbury, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams  
Clerk

cc: Honorable Ralph H. Walton, Jr.  
Ms. Lisa M. Holt  
Ms. Rowena Jenkins Daniels

NO. \_\_\_\_\_

COMMISSION FOR  
LAWYER DISCIPLINE

V.

ROWENA JENKINS DANIELS

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§  
§  
§

IN THE DISTRICT COURT OF

HOPKINS COUNTY, TEXAS

\_\_\_\_\_ 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, Rowena Jenkins Daniels, (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 her principal place of practice in Hopkins County,

Texas. Respondent can be served through her attorney, John Gladney, at Arena Tower Two, 7324 Southwest Freeway, Suite 800, Houston, Texas 77074. Citation should be served via certified mail return receipt requested.

#### IV.

On March 2, 2001, a Judgment of Partially Probated Suspension was entered against Respondent. The 134th Judicial District Court of Dallas County assessed the discipline as suspension from the practice of law for a period of thirty-six months, with the first month being an active suspension and the remaining thirty-five months being fully probated pursuant to the terms and conditions of the Judgment. Respondent's active suspension from the practice of law began on March 5, 2001 and continued through April 4, 2001. The Judgment was served on both Respondent's attorney of record, Robert Wilson, and on Respondent.

#### V.

During the active time of suspension, Hollie Eisenhauer's ("Eisenhauer") firm was actively litigating a case involving Respondent as opposing counsel. Although actively suspended, Respondent filed pleadings with the Court on behalf of her client in violation of the March 2, 2001 judgment. During the course of representing this same client, Respondent additionally allowed her legal assistant to sign Respondent's name to pleadings that were subsequently filed with the Court.

#### IVI.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs IV and V, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 5.03(a)(b)(1), 5.05, 8.04(a)(7) and 8.04(a)(11) of the Texas Disciplinary Rules of Professional Conduct.

V.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Hollie Eisenhauer filing a complaint on or about June 21, 2001.

**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*

**Lisa M. Holt**  
State Bar Card No. 24026068

ATTORNEYS FOR PETITIONER