

**ORDER OF THE SUPREME COURT OF TEXAS**

**MISC. DOCKET NO. 07- 9065**

**IN THE MATTER OF RODNEY M. PHELPS**

On this day, the Court considered the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Rodney M. Phelps, together with the Response of the Chief Disciplinary Counsel to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Rodney M. Phelps. 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 Rodney M. Phelps is resigning in lieu of discipline. 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 Rodney M. Phelps of Dallas, Texas, State Bar card number 15906000, 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 Rodney M. Phelps 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 Rodney M. Phelps 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 Rodney M. Phelps shall immediately notify each of his current clients in writing of this resignation. In addition to such notification, Rodney M. Phelps is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients in his possession to the respective clients or to another attorney at the client's request. Rodney M. Phelps is **ORDERED** to file with the Office of the Chief Disciplinary Counsel, State Bar of Texas, 5400 LBJ Freeway, Ste. 1280, Dallas, Texas 75240, 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 have been returned as ordered herein.

It is further **ORDERED** that Rodney M. Phelps 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 Rodney M. Phelps has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name(s), address(es) and telephone number(s) of the client(s) Rodney M. Phelps is representing in Court. Rodney M. Phelps is **ORDERED** to file with the Office of the Chief Disciplinary Counsel, State Bar of Texas, 5400 LBJ Freeway, Ste. 1280, Dallas, Texas 75240, 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(s), address(es) and telephone number(s) of the client(s) he is representing in Court.

By the Court, en banc, in chambers, this the 14 day of May, 2007.

Wallace B. Jefferson  
Wallace B. Jefferson, Chief Justice

Nathan L. Hecht  
Nathan L. Hecht, Justice

Harriet O'Neill  
Harriet O'Neill, Justice

Dale Wainwright  
Dale Wainwright, Justice

Scott A. Brister  
Scott A. Brister, Justice

David Medina  
David Medina, Justice

Paul W. Green  
Paul W. Green, Justice

Phil Johnson  
Phil Johnson, Justice

Don R. Willett  
Don R. Willett, Justice