

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 94-9118

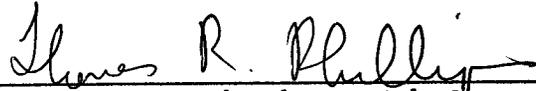
Appointment of a District Judge to Preside  
in a State Bar Disciplinary Action

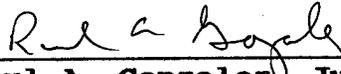
The Supreme Court of Texas hereby appoints the Honorable Curt B. Henderson, Judge of the 219th District Court of Collin County, Texas, to preside in the Disciplinary Action styled:

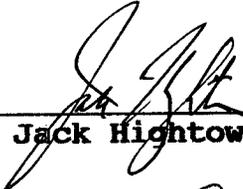
The Commission for Lawyer Discipline v. David D. Stigler  
to be filed in a District Court of Tarrant County, Texas.

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Tarrant 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.

In Chambers, this 15<sup>th</sup> day of <sup>August</sup> ~~July~~, 1994.

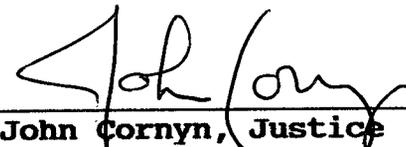
  
Thomas R. Phillips, Chief Justice

  
Raul A. Gonzalez, Justice

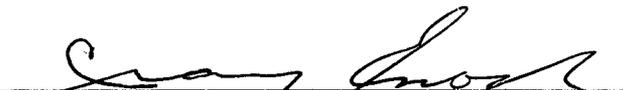
  
Jack Hightower, Justice

  
Nathan L. Hecht, Justice

  
Lloyd Doggett, Justice

  
John Cornyn, Justice

  
Bob Gammage, Justice

  
Craig Enoch, Justice

  
Rose Spector, Justice

This assignment, made by Misc. Docket No. 94-9118, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 15<sup>th</sup> day of August, 1994.

  
Thomas R. Phillips  
Chief Justice

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

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
V.	§	TARRANT COUNTY, TEXAS
DAVID D. STIGLER	§	_____ JUDICIAL DISTRICT

**DISCIPLINARY PETITION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complaining of Respondent, David D. Stigler, (hereinafter called "Respondent"), showing the Court:

**I.**

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.

**II.**

Respondent is an attorney licensed to practice law in Texas and a member of the State Bar of Texas. Respondent is a resident of and has his principal place of practice in Tarrant County, Texas. An officer may serve citation on Respondent at 5600 Rufe Snow Drive, Suite 107, North Richland Hills, Tarrant County, Texas 76180.

### III.

On or about July 24, 1992, Martha Jenkins (hereinafter called "Jenkins") hired Respondent to represent her on a traffic citation she had received several days in Fort Worth, Texas. At the time that Jenkins hired Respondent, she paid him a \$35.00 retainer fee.

### IV.

On or about July 25, 1992, Respondent sent a letter of representation to the city of Fort Worth. However, he thereafter failed to take any additional action in furtherance of his representation of Jenkins. On or about May 13, 1993, Jenkins learned that a warrant had been issued for her arrest. Respondent thereafter posted a surety bond on Jenkins' behalf, and the matter was reset by the court for September 22, 1993. In late August, 1993, Respondent negotiated a plea bargain for Jenkins wherein she would receive a deferred adjudication. However, Jenkins was dissatisfied with the terms of the plea bargain, particularly the probated portion of the sentence, and terminated Respondent's representation.

### V.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs III., and IV. hereinabove which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(b)(1), 1.02(a)(1) and/or 1.03(b) 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 General Counsel of the State Bar of Texas by Martha Jenkins filing of a complaint on or about November 8, 1993.

**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,

**James M. McCormack**  
General Counsel

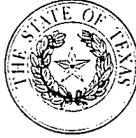
**E. Lynn Rodriguez**  
Assistant General Counsel

Office of the General Counsel  
State Bar of Texas  
P.O. Box 12487  
Austin, Texas 78711  
Telephone: (512) 463-1463  
Telecopier:(512) 477-4607

  
**E. LYNN RODRIGUEZ**  
State Bar of Texas No. 17143880

**ATTORNEYS FOR PETITIONER**

u:\users\catherin\lynn\stigler.dp



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK  
JOHN T. ADAMS

EXECUTIVE ASST.  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST.  
NADINE SCHNEIDER

JUSTICES  
RAUL A. GONZALEZ  
JACK HIGHTOWER  
NATHAN L. HECHT  
LLOYD DOGGETT  
JOHN CORNYN  
BOB GAMMAGE  
CRAIG ENOCH  
ROSE SPECTOR

August 19, 1994

The Honorable Thomas P. Hughes  
District Clerk of Tarrant County  
Civil Courts Buildings  
Fort Worth, Texas 76196

Dear Mr. Hughes:

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. David D. Stigler and a copy of the Supreme Court's order appointing the Honorable Curt B. Henderson, Judge of the 219th District Court, McKinney, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams  
Clerk

cc: Hon. Curt B. Henderson  
Mr. David D. Stigler  
Mr. James M. McCormack



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

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BOB GAMMAGE  
CRAIG ENOCH  
ROSE SPECTOR

August 19, 1994

Honorable Curt B. Henderson  
Judge, 219th District Court  
Collin County Courthouse 414  
210 South McDonald  
McKinney, Texas 75069

Dear Judge Henderson:

We enclose for your information a copy of the order of assignment, a copy of the notification letter to Mr. Stigler and Mr. McCormack, and a copy of the letter to the District Clerk of Tarrant County.

It is recommended that, ten days to two weeks after receipt of this letter, you or your coordinator contact the presiding judge of Tarrant County to find out the district court to which this disciplinary case has been assigned. We then recommend that, either before or immediately after you set the case for trial, the Regional Administrative Presiding Judge's Administrative Assistant (817 884-1558) 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 to obtain claims forms and other information 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

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EXECUTIVE ASST.  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST.  
NADINE SCHNEIDER

August 19, 1994

Mr. James M. McCormack  
General Counsel, State Bar of Texas  
P.O. Box 12487  
Austin, Texas 78711

Mr. David D. Stigler  
5600 Rufe Snow Drive, Suite 107  
North Richland Hills, Texas 76180

Dear Mr. McCormack and Mr. Stigler:

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 Curt B. Henderson, Judge of the 219th District Court, McKinney, Texas to preside in

Commission for Lawyer Discipline v. David D. Stigler.

Sincerely,

~~SIGNED~~  
SIGNED

John T. Adams  
Clerk