

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 94-9121

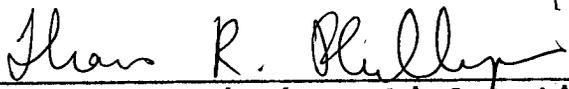
Appointment of a District Judge to Preside  
in a State Bar Disciplinary Action

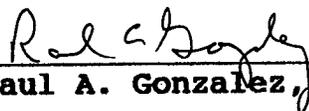
The Supreme Court of Texas hereby appoints the Honorable Ken C. Curry, Judge of the 153rd District Court of Tarrant County, Texas, to preside in the Disciplinary Action styled:

The Commission for Lawyer Discipline v. George O. Jacobs  
to be filed in a District Court of Harris County, Texas.

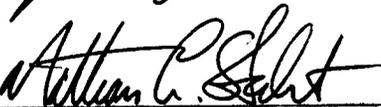
The Clerk of the Supreme Court shall promptly forward to the District Clerk of Harris County, Texas, a copy of this Order and of the Disciplinary Petition for filing and service pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

In Chambers, this 26th day of August, 1994.

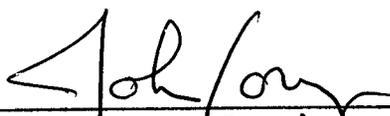
  
Thomas R. Phillips, Chief Justice

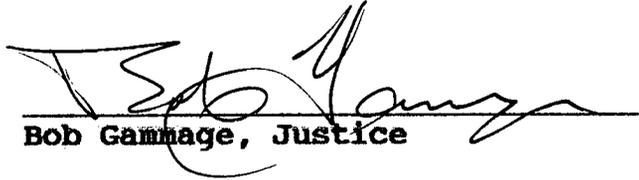
  
Raul A. Gonzalez, Justice

  
Jack Hightower, Justice

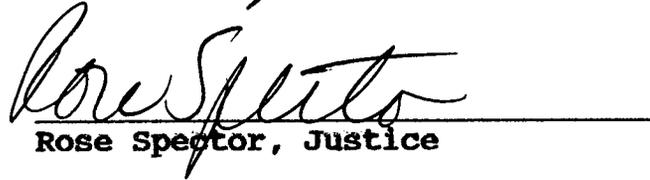
  
Nathan L. Hecht, Justice

  
Lloyd Doggett, Justice

  
John Cornyn, Justice

  
Bob Gammage, Justice

  
Craig Enoch, Justice

  
Rose Spector, Justice

This assignment, made by Misc. Docket No. 94-9121, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 26th day of August, 1994.

  
Thomas R. Phillips  
Chief Justice

COPY

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

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
V.	§	HARRIS COUNTY, TEXAS
GEORGE O. JACOBS	§	_____ 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, George O. Jacobs, (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 business in Harris County, Texas. An officer may serve citation on Respondent at Three Riverway, Suite 1960, Houston, Harris County, Texas 77056.

### III.

On or about January 9, 1990, John G. Cross (hereinafter called "Cross") hired Respondent to file an Application for Writ of *Habeas Corpus* in an attempt to obtain the release of Cross's son from detention by the Texas Department of Corrections. At the time Cross hired Respondent, he paid him \$1,250.00 in attorney's fees. In addition, between January, 1990 and February, 1991, Cross paid Respondent an additional \$1,150.00 in attorney's fees.

### IV.

In and around February, 1990, Cross provided Respondent with a copy of the transcript of the district court trial wherein his son was convicted and sentenced to imprisonment. However, Respondent did not thereafter file the Application for Writ of *Habeas Corpus* until on or about June 27, 1991. The district court denied the Application for Writ of *Habeas Corpus* in and around October, 1991. Respondent appealed the denial to the Texas Court of Criminal Appeals, which upheld the district court's ruling in and around October, 1992.

### V.

In and around January, 1993, Cross requested that Respondent return the transcript of the trial court proceeding to him. Cross made a second request for the transcript in and around May, 1993. Respondent failed to return the transcript to Cross, purportedly because it was lost when he moved his office. However, Respondent took no action to obtain a replacement copy of the transcript for Cross or to assist Cross in obtaining a replacement copy until after Cross had filed a complaint with the State Bar of Texas.

**VI.**

Such acts and/or omissions on the part of Respondent as are described in Paragraphs III., IV. and V. hereinabove which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(b)(1), 1.14(a), 1.14(b), and/or 1.15(d) of the Texas Disciplinary Rules of Professional Conduct.

**VII.**

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 John G. Cross filing of a complaint on or about August 23, 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\jacobs.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

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

EXECUTIVE ASST.  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST.  
NADINE SCHNEIDER

August 26, 1994

The Honorable Katherine Tyra  
District Clerk of Harris County  
P.O. Box 4651  
Houston, Texas 77210

Dear Ms. Tyra:

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. George O. Jacobs and a copy of the Supreme Court's order appointing the Honorable Ken C. Curry, Judge of the 153rd District Court, Fort Worth, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams  
Clerk

cc: Hon. Ken C. Curry  
Mr. George O. Jacobs  
Mr. James M. McCormack



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

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

EXECUTIVE ASST.  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST.  
NADINE SCHNEIDER

August 26, 1994

Honorable Ken C. Curry  
Judge, 153rd District Court  
Tarrant County Justice Center  
401 West Belknap  
Fort Worth, Texas 76196-0225

Dear Judge Curry:

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 Mr. Jacobs and Mr. McCormack, and a copy of the letter to the District Clerk of Harris County.

It is recommended that, two weeks after receipt of this letter, you or your coordinator contact the presiding judge of Harris 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, you contact the Harris County District Court Administrative Office (713-755-6576) 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 [713-471-3911] 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

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

August 26, 1994

CLERK  
JOHN T. ADAMS

EXECUTIVE ASST.  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST.  
NADINE SCHNEIDER

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

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

Mr. George O. Jacobs  
Three Riverway, Suite 1960  
Houston, Texas 77056

Dear Mr. McCormack and Mr. Jacobs:

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 Ken C. Curry, Judge of the 153rd District Court, Fort Worth, Texas to preside in

Commission for Lawyer Discipline v. George O. Jacobs

Sincerely,

SIGNED

John T. Adams  
Clerk