

IN THE SUPREME COURT OF THE STATE OF TEXAS

Misc. Docket No. 94- 9174

IN THE MATTER OF

S. B. ARMSTRONG

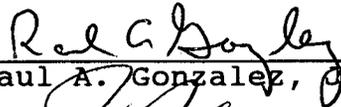
ORDER

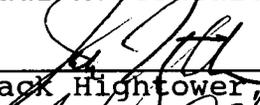
On this day came on for consideration the Motion for Acceptance of Resignation as Attorney and Counselor at Law of S. B. Armstrong together with the Response filed by the Chief Disciplinary Counsel of the State Bar of Texas acting through the Commission for Lawyer Discipline. The Court has reviewed said Motion and the Response and finds each to be legally sufficient. The Court, being advised that such resignation is tendered in lieu of disciplinary action, and being of the opinion that such resignation is in the best interest of the public and of the profession and will meet the ends of justice, hereby concludes that the following Order is appropriate.

It is ORDERED that the law license of S. B. Armstrong heretofore issued by this court, be, and the same is hereby cancelled and revoked and her name be, and is hereby, removed and deleted from the list of persons licensed to practice law in the State of Texas. Receipt of the license and permanent State Bar card issued by this Court to S. B. Armstrong is hereby acknowledged.

By the Court, en banc, in chambers, this the 22nd day
of November, 1994.

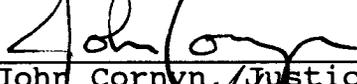

Thomas R. Phillips, Chief Justice


Raul A. Gonzalez, Justice

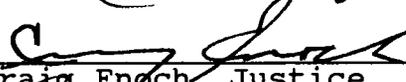

Jack Hightower, Justice


Nathan L. Hecht, Justice

Lloyd Doggett, Justice


John Cornyn, Justice


Bob Gammage, Justice


Craig Enoch, Justice


Rose Spector, Justice

01323575
Attorney's Bar Card Number

Misc. Docket No. 94- 9174

C\F6-19A.pri

STATE BAR OF TEXAS



Office of the General Counsel

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
P242679404

October 28, 1994

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

Re: S. B. Armstrong

Dear Mr. Adams:

Pursuant to Part X of the Texas Rules of Disciplinary Procedure, please find enclosed herewith the following:

- (1) Original executed Motion for Acceptance of Resignation as Attorney and Counselor at Law for the above referenced attorney;
- (2) Original and two (2) copies of the Response of the Chief Disciplinary Counsel to Motion for Acceptance of Resignation as Attorney and Counselor at Law for the above referenced attorney; and
- (3) Permanent State Bar Card and law license (or affidavit stating whereabouts of either item) for the above referenced attorney.
- (4) Original Order of Resignation for the Court's signature.

I will appreciate your bringing this to the Court's attention. Pursuant to Rule 10.02 of the Texas Rules of Disciplinary Procedure, once the required ten (10) day timeframe has passed, I will notify the Court, in writing, of the filing of any Motion to Withdraw Resignation.

Premier Place, 5910 N. Central Expressway, Suite 900, Dallas, Texas 75206 (214)368-2168

Please return a file stamped copy of the Response to our office at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Marilee Neff". The signature is written in a cursive style with a large, looping initial "M".

Marilee Neff
Regional Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas

Enclosure
CF3-24R.PRI

IN THE SUPREME COURT OF THE STATE OF TEXAS

Misc. Docket No. 94- 9174

IN THE MATTER OF

S. B. ARMSTRONG

ORDER

On this day came on for consideration the Motion for Acceptance of Resignation as Attorney and Counselor at Law of S. B. Armstrong together with the Response filed by the Chief Disciplinary Counsel of the State Bar of Texas acting through the Commission for Lawyer Discipline. The Court has reviewed said Motion and the Response and finds each to be legally sufficient. The Court, being advised that such resignation is tendered in lieu of disciplinary action, and being of the opinion that such resignation is in the best interest of the public and of the profession and will meet the ends of justice, hereby concludes that the following Order is appropriate.

It is ORDERED that the law license of S. B. Armstrong heretofore issued by this court, be, and the same is hereby cancelled and revoked and her name be, and is hereby, removed and deleted from the list of persons licensed to practice law in the State of Texas. Receipt of the license and permanent State Bar card issued by this Court to S. B. Armstrong is hereby acknowledged.

By the Court, en banc, in chambers, this the _____ day
of _____, 19_____.

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

01323575

Attorney's Bar Card Number

Misc. Docket No. 94- 9174

C\F6-19A.pri

IN THE SUPREME COURT OF TEXAS
MOTION FOR ACCEPTANCE OF RESIGNATION AS
ATTORNEY AND COUNSELOR AT LAW

OF

S. B. ARMSTRONG

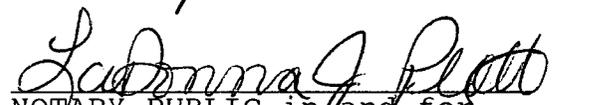
NOW COMES your Applicant, S. B. Armstrong, and hereby resigns as an Attorney and Counselor at Law in the State of Texas; and hereby submits to the Court his resignation as an Attorney and Counselor at Law; and prays that the Court accept said resignation.

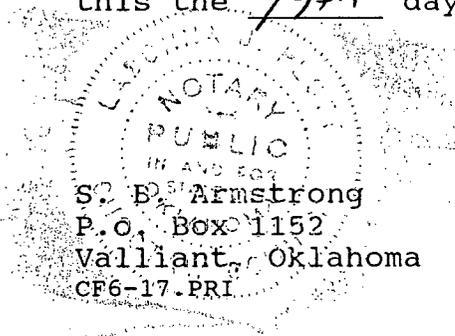
Attached hereto is the License and permanent State Bar card issued by this Court to the Applicant, S. B. Armstrong, as an Attorney and Counselor at Law on January 12, 1990. Said License and permanent State Bar card are hereby surrendered by the Applicant.

Your applicant is voluntarily resigning and withdrawing from the practice of law; Applicant does so in lieu of discipline for professional misconduct; and Applicant prays that his name be dropped and deleted from the list of persons licensed to practice law in Texas; and that his resignation be accepted.


S. B. Armstrong
State Bar No. 01323575

SUBSCRIBED AND SWORN to before me by the said S. B. Armstrong this the 17th day of October, 1994.


NOTARY PUBLIC in and for
the State of ~~Texas~~ OKLAHOMA
Commission expires
Oct 8, 1997


S. B. Armstrong
P.O. Box 1152
Valliant, Oklahoma 76764-1152
CF6-17-PRI

IN THE SUPREME COURT OF THE STATE OF TEXAS
RESPONSE TO MOTION FOR ACCEPTANCE OF RESIGNATION AS
ATTORNEY AND COUNSELOR AT LAW
OF
S. B. ARMSTRONG

TO THE HONORABLE SUPREME COURT OF TEXAS:

Pursuant to Part X of the Texas Rules of Disciplinary Procedure, James M. McCormack, Chief Disciplinary Counsel, hereby files this response on behalf of the State Bar of Texas, acting by and through the Commission for Lawyer Discipline, to the Motion for Acceptance of Resignation in Lieu of Discipline filed by S. B. Armstrong, and would show as follows:

I.

The acceptance by the Court of the Resignation of S. B. Armstrong is in the best interest of the public and of the profession.

II.

FINDINGS OF FACT: Respondent was employed on or about December 7, 1992, as an attorney and escrow agent for an investment club. Respondent and the Investment Club handled funds for Sterling Trust Company of Waco, Texas, who handled Complainant's IRA. Complainant has been unable to contact Respondent to obtain disbursements from Complainant's IRA. Further, Respondent was noticed of the grievance complaint and requested to respond, in

writing within thirty (30) days, but failed to do so or to assert any grounds for such failure.

CONCLUSIONS OF LAW: It is agreed that the foregoing findings of fact support a violation of Rules 1.01(b); 1.03(a); 1.14(b); 8.01(b) and 8.04(a)(1),(3) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules, effective January 1, 1990.

III.

WHEREFORE, the State Bar of Texas, moves the Court to accept the resignation in lieu of discipline and grant the motion filed by Movant.

Respectfully Submitted:

James M. McCormack
Chief Disciplinary Counsel

Marilee Neff
Regional Counsel
Office of the Chief Disciplinary
Counsel
State Bar of Texas
5910 North Central Expressway
Suite 900
Dallas, Texas 75206



Marilee Neff
Regional Counsel

State Bar Card No. 14865200

CERTIFICATE OF SERVICE

This is to certify that the Response of the Chief Disciplinary Counsel to the Resignation of S. B. Armstrong has been served on S. B. Armstrong, at P.O. Box 1152, Valliant, Oklahoma, 74764, via Certified Mail #Z742008661 on October 28, 1994.



Marilee Neff
Regional Counsel

CF6-19.PRI