

**ORDER OF THE SUPREME COURT OF TEXAS**

**Misc Docket No. 96-9087**

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

The Supreme Court of Texas hereby appoints the Honorable Larry W. Starr, Judge of the 188th District Court of Gregg County, Texas, to preside in the Disciplinary Action styled:

**The Commission for Lawyer Discipline v. Tina M. Andrews**

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.

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

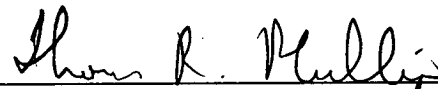
with the Seal thereof affixed at the City  
of Austin, this 29th day of March, 1996.

A handwritten signature in black ink, appearing to read 'J. Adams', is written over the printed name of the clerk.

JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 96-9087, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this    )    day of April, 1996.



Thomas R. Phillips  
Chief Justice

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

COPY

COMMISSION FOR LAWYER DISCIPLINE §  
v. §  
TINA M. ANDREWS §

IN THE DISTRICT COURT OF  
HARRIS 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, complains of Respondent Tina M. Andrews as follows:

I.

Petitioner brings this disciplinary action pursuant to the State Bar Act, Tex. Gov't. Code Ann. §81.001 *et seq.* (Vernon 1988), and the State Bar Rules. The complaint that forms the basis of the Disciplinary Petition was filed after May 1, 1992.

II.

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 Harris County, Texas. An officer may serve citation on Respondent at 6100 Hillcroft Avenue, Suite 108, Houston, Harris County, Texas.

III.

Manuel Santos retained Respondent to represent him and his wife and brother in a personal injury matter which occurred on or about June 28, 1993. At the time Mr. Santos entered retained Respondent, Sara Montabello, aka Sara Uy, aka Corina Kanjursoon, a non-lawyer, shared office space with Respondent. All of Mr. Santos' contacts with Respondent were

through Sara Montabello. Respondent allowed Sara Montabello, a non-lawyer, to work and settle her cases, and she divided the proceeds from settlements with Sara Montabello.

Respondent sent a letter of representation to Preferred Risk Mutual Insurance Co. on July 9, 1993 informing them of her representation of Manuel Santos and Alicia Andrade. Respondent settled the Santos' claim for Seven Thousand Dollars (\$7,000.00) on or about October 1, 1993. Mr. Santos states that he was not told of the settlement, and did not approve of it.

Respondent endorsed the settlement check from the insurance company. Someone forged the signatures of the Santos on the settlement check. Respondent did not pay her clients their share of the proceeds of the settlement.

#### IV.

The conduct of the Respondent, Tina Andrews, as alleged above in Paragraph IV constitutes a violation of Rules 1.01(b)(1) [in representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer]; 1.01(b)(2) [in representing a client, a lawyer shall not frequently fail to carry out completely the obligations that the lawyer owes to a client]; 1.14(b)[upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person][ a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive]; 5.03[a lawyer having direct supervisory over a nonlawyer shall make reasonable efforts to ensure that the person's conduct in compatible with the professional obligations of the lawyer]; 5.03(b)(1)[a lawyer shall be subject to discipline for the conduct of such a person that would be a violation of these rules if engaged in by a lawyer if the lawyer orders, encourages, or permits the conduct involved]; 5.04[a lawyer shall not share or promise to share legal fees with a non-lawyer]; 8.04(a)(1)[a lawyer shall not violate these rules, knowingly assist or induce

another to do so, or do so through the acts of another, whether or not such violation occurred in the course of a client-lawyer relationship]; 8.04(a)(2)[a lawyer shall not commit a serious crime or commit any other criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects]; and 8.04(a)(3)[a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation] of the Texas Disciplinary Rules of Professional Conduct.

### VIII.

The complaint that forms the basis of the Santos complaint was brought to the attention of the Office of the General Counsel of the State Bar of Texas by Manuel Santos filing a complaint on or about January 5, 1994.

### Prayer

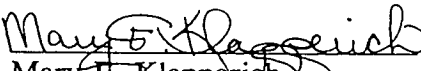
WHEREFORE, PREMISES CONSIDERED, Petitioner the COMMISSION FOR LAWYER DISCIPLINE respectfully prays that this Court discipline Respondent Tina Andrews by disbarment, suspension or reprimand as the facts shall warrant, and that the Petitioner have all other relief to which it may show itself to be justly entitled, including costs of court and attorney's fees.

Respectfully submitted,

James M. McCormack  
General Counsel

Mary F. Klapperich  
Assistant General Counsel

Office of the General Counsel  
STATE BAR OF TEXAS  
1111 Fannin, Suite 1370  
Houston, Texas 77002  
(713) 759-6931  
Fax No. (713) 759-1932

  
Mary F. Klapperich  
State Bar No. 11550700

ATTORNEYS FOR THE COMMISSION  
FOR LAWYER DISCIPLINE



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  
NATHAN L. HECHT  
JOHN CORNYN  
CRAIG ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

April 2, 1996

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

Ms. Tina M. Andrews  
6100 Hillcroft Avenue, Suite 108  
Houston, Texas 77081

Dear Mr. McCormack and Ms. Andrews:

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 Larry W. Starr, Judge of the 188th District Court, Longview, Texas to preside in

Commission for Lawyer Discipline v. Tina M. Andrews

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

CLERK  
JOHN T. ADAMS

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

JUSTICES  
RAUL A. GONZALEZ  
NATHAN L. HECHT  
JOHN CORNYN  
CRAIG ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT

April 2, 1996

Honorable Larry W. Starr  
Judge, 188th District Court  
408 Courthouse  
101 E. Methvin Street  
Longview, Texas 75601

Dear Judge Starr:

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

It is recommended that, six to eight weeks after receipt of this letter, you contact the Harris County District Court Administrative Office (713-755-7593) 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 again contact the Harris County District Court Administrative Office (713-755-6593) 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

CLERK  
JOHN T. ADAMS

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

JUSTICES  
RAUL A. GONZALEZ  
NATHAN L. HECHT  
JOHN CORNYN  
CRAIG ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT

April 2, 1996

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

Dear Mr. Bacarisse:

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. Tina M. Andrews and a copy of the Supreme Court's order appointing the Honorable Larry W. Starr, Judge of the 188th District Court, Longview, Texas, to preside in this Disciplinary Action.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

cc: Hon. Larry W. Starr  
Ms. Tina M. Andrews  
Mr. James M. McCormack