

**ORDER OF THE SUPREME COURT OF TEXAS**

**Misc. Docket No. 97- 9164**

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

The Supreme Court of Texas hereby appoints the Honorable Harold Entz, Judge of the 194th District Court of Dallas County, Texas, to preside in the Disciplinary Action styled:

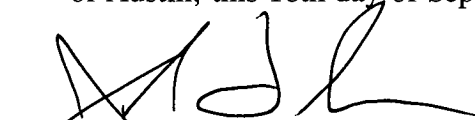
**The Commission for Lawyer Discipline v. Clifford Stuart Abel**

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.

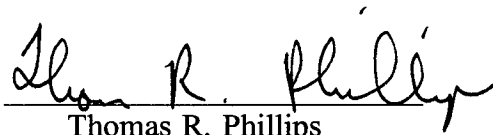
with the Seal thereof affixed at the City  
of Austin, this 18th day of September, 1997.



**JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS**

This assignment, made by Misc. Docket No. 97-9164, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 22 day of September, 1997.

A handwritten signature in cursive script that reads "Thomas R. Phillips". The signature is written in black ink and is positioned above a horizontal line.

Thomas R. Phillips  
Chief Justice

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

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
	§	
VS	§	_____ COUNTY, TEXAS
	§	
CLIFFORD S. ABEL	§	_____ 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, complaining of Respondent, Clifford S. Abel, showing the following to 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 with the State Bar of Texas on or after April 30, 1996.

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 Harris County, Texas. An officer may serve citation on Respondent at his business address located at 1301 Leland Street, Suite 210, Houston, Texas 77002.

### III.

On or about April 4, 1995, Edward Wolfson, consulted with Respondent about handling a civil claim on behalf of Wolfson's company against another company for alleged violations of the Texas Deceptive Trade Practices Act. Respondent accepted the case on a contingent fee basis.

On or about April 4, 1995, Respondent sent a demand letter to Joel Koss of Standard Case Equipment Company, as required by the Texas Deceptive Trade Practices Act. On or about April 5, 1995, Wolfson paid Respondent One Thousand Dollars (\$1,000.00) for litigation expenses, and forwarded documents to Respondent which were pertinent to his lawsuit.

On or about June 14, 1995, Respondent filed an Original Petition in the case styled Edvako, Inc., v. Standard Casing Company, Inc., d/b/a Stancase Equipment Co.; Cause No. H-95-3146, in the United States District Court for the Southern District of Texas.

Following the filing of Wolfson's lawsuit, Respondent failed to perform any further work on the case because Respondent was incarcerated and he subsequently failed to notify Wolfson of his situation.

Respondent failed to communicate to Wolfson the status of his case, failed to return documents to Wolfson or to refund any unused litigation expenses. As a result, Respondent neglected his client's legal matter and prejudiced the case by failing to withdraw and protect the client's interests.

On or about May 7, 1996, Respondent was given notice of a complaint filed

against him by Edward Wolfson with the State Bar of Texas. The notice required Respondent to file a written response to Wolfson's allegations within thirty (30) days of receipt of notice. Respondent failed to file a written response as required.

#### IV.

By failing to perform any meaningful work for his client, Edward Wolfson, and for failing to notify his client that he was incarcerated and unable to perform legal services for his clients while in jail, Respondent engaged in conduct in violation of Rule 1.01(b)(1)[neglecting a legal matter entrusted to the lawyer]; 1.03(a)[failing to keep a client reasonably informed about the status of a matter and to promptly comply with reasonable requests for information]; 1.03(b)[failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation]; and 8.04(a)(1)[a lawyer shall not knowingly violate the Texas Disciplinary Rules of Professional Conduct] of the Texas Disciplinary Rules of Professional Conduct and Rule 1.06(Q) of the Texas Rules of Disciplinary Procedure.

By failing to respond to the demand for a written response to the complaint filed against him by Edward Wolfson, Respondent engaged in conduct in violation of Rule 8.04(a)(8)[failing to timely furnish a district grievance committee a response or other information as required unless he/she timely asserts a privilege or other legal ground for failure to do so] of the Texas Disciplinary Rules of Professional Conduct] of the Texas Disciplinary Rules of Professional Conduct and Rule 1.06(Q) of the Texas Rules of Disciplinary Procedure.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined by reprimand, suspension, or disbarment, as the facts shall warrant; and that Petitioner have such other and further relief to which entitled, including costs of Court and attorney's fees.

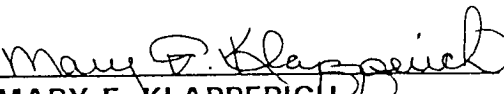
Respectfully submitted,

Steven W. Young  
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) 759-6932  
(713) 752-2158 FAX

  
MARY F. KLAPPERICH  
State Bar No. 11550700

ATTORNEYS FOR PETITIONER

# STATE BAR OF TEXAS



Office of the General Counsel

July 28, 1997

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

Re: Commission for Lawyer Discipline v. Clifford Stuart Abel

Dear Mr. Adams:

Enclosed please find an original and two (2) copies of a Disciplinary Petition being filed by the Commission for Lawyer Discipline against Clifford Stuart Abel. Mr. Abel is a resident of Harris County, Texas. Request is hereby made that the Court appoint an active District Judge who does not reside in the Administrative Judicial Region in which Respondent resides to preside in this case. Upon appointment, request is hereby made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

Mr. Clifford Stuart Abel  
c/o Law Offices of Willie & Willie  
1301 Leland Street, Suite 210  
Houston, TX 77002

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to whether he or she will be able to comply with the 180 day deadline by which the case must be set for trial set forth in Section 3.07 of the Texas Rules of Disciplinary Procedure. If not, I would respectfully request that an alternate appointment be made.

Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Harris County, Texas, with the request that the suit be filed, citation be issued, and the citation, alone with a file-stamped copy of the petition, be returned to the undersigned.

Mr. John T. Adams, Clerk  
Supreme Court of Texas  
July 28, 1997  
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I have enclosed a pre-addressed envelope for your use in transmitting the above reference documents, to the District Clerk of Harris County, Texas, and a return envelope to be sent to the District Clerk of Harris County, Texas, for the Clerk's use in returning a file-stamped copy of the petition to the undersigned.

If you have any questions, please contact me. Thank you for your assistance.

Very truly yours,



Mary F. Klapperich  
Assistant General Counsel

MFK/rr  
enclosures





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

OCT 02 1997

Ms. Mary F. Klapperich  
Assistant General Counsel, State Bar of Texas  
1111 Fannin, Suite 1370  
Houston, Texas 77002

Mr. Clifford Stuart Abel  
c/o Law Offices of Willie & Willie  
1301 Leland Street, Suite 210  
Houston, Texas 77002

Dear Ms. Klapperich and Mr. Abel:

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 Harold Entz, Judge of the 194th District Court of Dallas, Texas to preside in

Commission for Lawyer Discipline v. Clifford Stuart Abel

Sincerely,

John T. Adams  
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

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JAMES A. BAKER  
GREG ABBOTT

EXECUTIVE ASST  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

OCT 02 1997

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. Clifford Stuart Abel, and a copy of the Supreme Court's order appointing the Honorable Harold Entz, Judge of the 194th District Court in Dallas, Texas, to preside in this Disciplinary Action.

Sincerely,

SEAL

John T. Adams  
Clerk

cc: Hon. Harold Entz  
Ms. Mary F. Klapperich  
Mr. Clifford Stuart Abel



## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

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**OCT 02 1997**

CLERK  
JOHN T. ADAMS

EXECUTIVE ASST  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST  
NADINE SCHNEIDER

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

Honorable Harold Entz  
Judge, 194th District Court  
Frank Crowley Courts Building  
133 N. Industrial Blvd., LB 26  
Dallas, Texas 75207

Dear Judge Entz:

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. Abel and Ms. Klapperich, 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,

**STAMPED**

John T. Adams  
Clerk