

ORDER OF THE SUPREME COURT OF TEXAS

MISC. DOCKET NO. 99- 9081

IN THE MATTER OF GREGORY B. DUNBAR

On this day, the Court considered the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Gregory B. Dunbar, together with the Response of the Chief Disciplinary Counsel to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Gregory B. Dunbar. The Court has reviewed said Motion and Response and finds that each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. In conformity with Part X, Section 10.02 of the Texas Rules of Disciplinary Procedure, the Court considers the detailed statement of professional misconduct contained within the Response of Chief Disciplinary Counsel to be deemed conclusively established for all purposes. The Court finds that Gregory B. Dunbar is resigning in lieu of discipline. The Court, being advised that the acceptance of the resignation is in the best interest of the public and the profession, hereby concludes that the following Order is appropriate.

IT IS ORDERED that the law license of Gregory B. Dunbar of Dallas, Texas, State Bar card number 06209300, which was previously issued by this Court, be canceled and his name be dropped and deleted from the list of persons licensed to practice law in Texas.

IT IS FURTHER ORDERED that Gregory B. Dunbar immediately surrender his State Bar Card and Texas law license to the Clerk of the Supreme Court of Texas or file with the Court an affidavit stating the cause of his inability to do so.

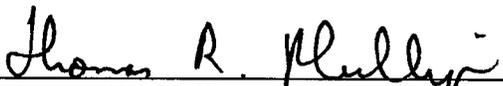
IT IS FURTHER ORDERED that Gregory B. Dunbar is permanently enjoined and prohibited from practicing law in the State of Texas, holding himself out as an attorney at law, performing legal services for others, giving legal advice to others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body (whether state, county, municipal, or other), or holding himself out to others or using his name in any manner in conjunction with the words "Attorney at Law", "Counselor at Law", or "Lawyer".

It is further **ORDERED** that Gregory B. Dunbar shall immediately notify each of his current clients in writing of this resignation. In addition to such notification, Gregory B. Dunbar is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients and former clients in his possession to the respective clients or former clients or to another attorney at the client's or former client's request. Gregory B. Dunbar is **ORDERED** to file with the State Bar of Texas, 3710 Rawlins, Suite 800, Dallas, Texas 75219, within thirty (30) days of the date of the effective date of this Order an affidavit stating that all current clients have been notified of his resignation and that all files, papers, monies and other property belonging to all clients and former clients have been returned as ordered herein.

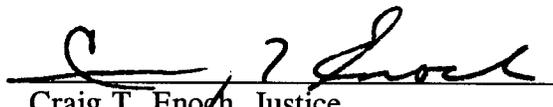
It is further **ORDERED** that Gregory B. Dunbar shall, within thirty (30) days after the date on which this Order is signed by the Court, notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Gregory B. Dunbar has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Gregory B. Dunbar is representing in Court. Gregory B. Dunbar is **ORDERED** to file with the State Bar of Texas,

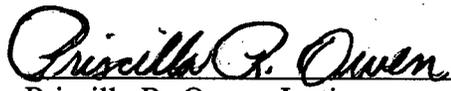
3710 Rawlins, Suite 800, Dallas, Texas 75219, within thirty (30) days of the date of the effective date of this Order an affidavit stating that he has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which he has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) he is representing in Court.

By the Court, en banc, in chambers, this the 5th day of May, 1999.


Thomas R. Phillips, Chief Justice


Nathan L. Hecht, Justice

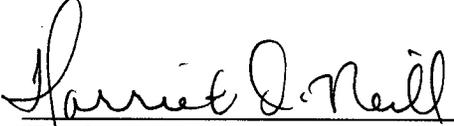

Craig T. Enoch, Justice

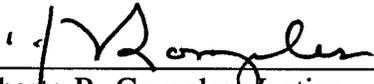

Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Alberto R. Gonzales, Justice

STATE BAR OF TEXAS



Office of the General Counsel

April 12, 1999

VIA AIRBORNE EXPRESS

INTERAGENCY MAIL

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

Re: Resignation of Gregory B. Dunbar, Bar Card No. 06209300

Dear Mr. Adams:

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

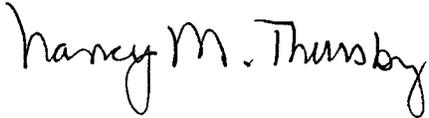
- 1) Motion for Acceptance of Resignation as Attorney and Counselor at Law signed by Gregory B. Dunbar, dated March 8, 1999 and received by the Chief Disciplinary Counsel on March 19, 1999;
- 2) Response of Chief Disciplinary Counsel of Motion to Acceptance of Resignation as Attorney and Counselor at Law of Gregory B. Dunbar, a copy of which was transmitted to Gregory B. Dunbar at least ten (10) days prior to today's date;
- 3) Original and one (1) copy of proposed Order for review and entry by the Court accepting the resignation of Gregory B. Dunbar as Attorney and Counselor at Law;
- 4) Affidavit of Gregory B. Dunbar stating that he is unable to locate his state bar card;
- 5) Gregory B. Dunbar's License.

Please present the enclosed Order to the Court for review and entry. Upon entry of the Order by the Court, please transmit a true and correct copy of the same to the undersigned in order that this office may properly give notice to all parties of the Court's disposition of such motion.

Regency Plaza, 3710 Rawlins, Suite 800, Dallas, Texas 75219 (214)559-4353

Mr. John T. Adams, Clerk
Supreme Court of Texas
Resignation of Gregory B. Dunbar
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Sincerely,



Nancy M. Thursby
Regional Counsel

NMT/slk

Enclosures

cc: Gregory B. Dunbar
c/o Colleen A. Dunbar
1602 Cedar Springs
Dallas, Texas 75202
***Via Certified Mail No. Z-210 269 041,
Return Receipt Requested***

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

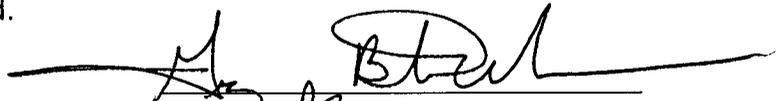
OF

GREGORY B. DUNBAR

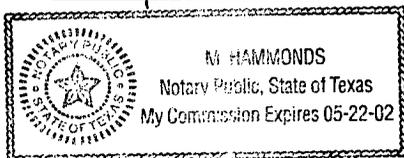
NOW COMES your Applicant, Gregory B. Dunbar, and hereby resigns as an Attorney and Counselor at Law in the State of Texas; and hereby submits to the Court his resignation as an Attorney and Counselor at Law; and prays that the Court accept said resignation.

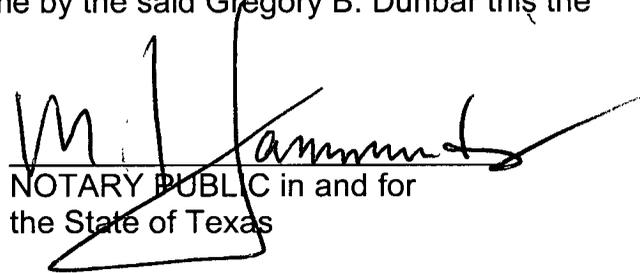
Attached hereto is the License and permanent State Bar card issued by this Court to the Applicant, Gregory B. Dunbar, as an Attorney and Counselor at Law on May 15, 1978. Said License and permanent State Bar card are hereby surrendered by the Applicant.

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.


Gregory B. Dunbar
State Bar No. 06209300

SUBSCRIBED AND SWORN to before me by the said Gregory B. Dunbar this the 8th day of March, 1999




NOTARY PUBLIC in and for
the State of Texas

Gregory B. Dunbar, 1602 Cedar Springs Blvd., Dallas, TX 75202

AFFIDAVIT OF
GREGORY B. DUNBAR

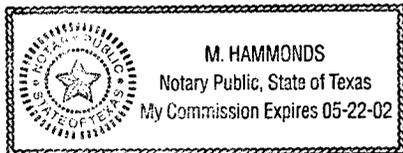
On this 8th day of March, 1999, personally appeared before me, the undersigned **Gregory B. Dunbar**, who, after being duly sworn, did state upon his oath:

"My name is **Gregory B. Dunbar**, and I am over the age of eighteen years and am competent to make this affidavit in all respects, and am personally acquainted with the facts in this Affidavit."

"I am an attorney licensed in the State of Texas. My bar card number is 06209300. I am unable to locate my permanent State Bar Card at this time. Should this item that is property of the Supreme Court of Texas be located, I will immediately surrender and forward to the Supreme Court of Texas."


GREGORY B. DUNBAR
Texas Bar No. 06209300

SWORN TO AND SUBSCRIBED BEFORE ME on this the 8th day of March, 1999.




Notary Public in and for the State of Texas

**IN THE SUPREME COURT OF TEXAS
RESPONSE OF THE CHIEF DISCIPLINARY COUNSEL
OF THE STATE BAR OF TEXAS
REGARDING
GREGORY B. DUNBAR**

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Nancy M. Thursby, Assistant Chief Disciplinary Counsel of the State Bar of Texas, in accordance with Part X of the Texas Rules of Disciplinary Procedure, hereby file a 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 as Attorney and Counselor at Law of Gregory B. Dunbar, dated on or about March 8, 1999, and received by the Office of the Chief Disciplinary Counsel on or about March 19, 1999. The acceptance of the resignation of Gregory B. Dunbar (hereinafter referred to as "Dunbar") is in the best interests of the public and the profession.

The following complaints are currently pending against Dunbar before investigatory panels of the District Grievance Committee. The professional misconduct with which Dunbar is charged in the complaints currently pending before investigatory panels is as follows:

A. Brian Hedenburg - Gregory B. Dunbar, D0109811869

In March of 1998, Brian Hedenburg (hereinafter referred to as "Complainant") and his associate paid Dunbar \$2,000.00 to incorporate and obtain a tax exempt status for a charitable organization referred to as "Four Corners of the Globe." Thereafter, Dunbar failed to accomplish either of the tasks for which he was paid. Further, Dunbar misrepresented to Complainant that "Four Corners of the Globe" was incorporated when Dunbar knew that he had not filed the documents necessary for incorporation with the Secretary of State. Complainant thereafter terminated Dunbar and requested a refund of the \$2,000.00 paid to Dunbar. After Dunbar informed Complainant that he used the money for legal fees, Complainant requested an accounting. Dunbar failed to return Complainant's money or to provide the requested accounting.

The above facts support a violation of Rules 1.01(a), 1.01(b)(1), 1.14(b), 1.15(d) and 8.04(a)(3) of the Texas Disciplinary Rules of Professional Conduct.

B. Mary Perez - Gregory B. Dunbar, D0129812229

In or about 1998, Mary Perez (hereinafter referred to as "Complainant") hired Dunbar to represent her son on an appeal of his criminal conviction. Complainant alleged that she paid Dunbar \$2,000.00 for the representation but that Dunbar did not do any meaningful legal work on the case and failed to communicate with her or the client. Another attorney ultimately represented Complainant's son.

The above facts support a violation of Rules 1.01(b)(1), 1.01(b)(2) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

The following disciplinary action is currently pending against Dunbar, styled Commission for Lawyer Discipline vs. Gregory B. Dunbar, Cause No. DV98-09837, pending in the 14th Judicial District Court of Dallas County, Texas (hereinafter called the "Disciplinary Action"). The professional misconduct with which Dunbar is charged in the Disciplinary Action is as follows:

C. Commission for Lawyer Discipline v. Gregory B. Dunbar, D0019810258

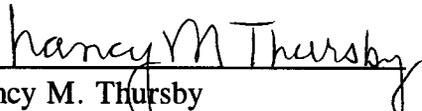
On or about June 18, 1996, David Spangler (hereinafter referred to as "Complainant") employed Dunbar to represent him in a personal injury matter and to probate the Will of Complainant's male companion. Complainant was named sole beneficiary and executor of Robert Gilbert's estate. A portion of Mr. Gilbert's estate consisted of approximately \$23,000.00 in a retirement fund. Dunbar received the funds from the retirement fund but only provided \$4,000.00 of those funds to Complainant. Complainant requested an accounting of the estate's funds but Dunbar failed to provide the accounting.

Prior to Mr. Gilbert's death, Mr. Gilbert had filed for and was granted a Chapter 13 bankruptcy. Dunbar failed to notify Mr. Gilbert's bankruptcy attorney that Mr. Gilbert died. As a result of that failure, the bankruptcy was dismissed and a default order lifting stay, regarding a condominium Mr. Gilbert owned, was granted.

By letters dated May 19, 1998 and June 11, 1998, the District 6A Grievance Committee requested certain documents from Dunbar. Dunbar failed to respond to those requests.

Violation of Rules 1.01(b)(1) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

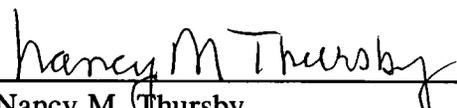
In view of Gregory B. Dunbar's execution on or about March 8, 1999, of his resignation as an attorney and counselor at law, and in anticipation of the Court's acceptance of same, the Chief Disciplinary Counsel does not anticipate going forward with the pending disciplinary action or disciplinary complaints before the investigatory panels and intends to dismiss the complaints and disciplinary action upon entry of Order by the Supreme Court of Texas deleting Gregory B. Dunbar from the list of persons licensed to practice law in the State of Texas.



Nancy M. Thursby
Assistant Chief Disciplinary Counsel
State Bar of Texas

CERTIFICATE OF SERVICE

A true and correct copy of this Response of the Chief Disciplinary Counsel of the State Bar of Texas Regarding Gregory B. Dunbar, has on this 1st day of April, 1999, been mailed to Colleen A. Dunbar, attorney for Gregory B. Dunbar, at 1602 Cedar Springs, Dallas, Texas 75202, by certified mail, return receipt requested.



Nancy M. Thursby