

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 99- 9136

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

The Supreme Court of Texas hereby appoints the Honorable K. Steven Williams, Judge of the 135th District Court of Victoria County, Texas, to preside in the Disciplinary Action styled:

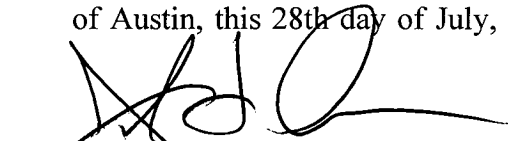
The Commission for Lawyer Discipline v. Rickey A. Watson

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 28th day of July, 1999.



JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 99-9136, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 30 day of July, 1999.

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

Thomas R. Phillips
Chief Justice

COPY

Cause No. _____

COMMISSION FOR LAWYER DISCIPLINE §
Petitioner §
v. §
RICKEY A. WATSON §
Respondent §

IN THE DISTRICT COURT OF
HARRIS COUNTY, TEXAS
_____ JUDICIAL DISTRICT

ORIGINAL DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF THE COURT:

Petitioner, the COMMISSION FOR LAWYER DISCIPLINE, a committee of the State Bar of Texas (the "CFLD"), complains of Respondent RICKEY A. WATSON ("Respondent") as follows:

1. DISCOVERY CONTROL PLAN

1.1 Pursuant to Rules 190.1 and 190.3, TEXAS RULES OF CIVIL PROCEDURE (TRCP), Petitioner intends discovery in this case to be conducted under the Level 2 Discovery Control Plan. Pursuant to Rule 190.3(b), TRCP, Petitioner affirmatively pleads that it seeks monetary relief aggregating fifty thousand and no/100 dollars (\$50,000.00) or more, not excluding costs, pre-judgment interest and attorneys' fees

2. NATURE OF PROCEEDING

2.1 The CFLD brings this disciplinary action pursuant to the State Bar Act, Texas Government Code Annotated §81.001, *et seq.* (Vernon 1988 and supp. 1994), the

TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT, and the TEXAS RULES OF DISCIPLINARY PROCEDURE. The complaint that forms the basis of this Disciplinary Petition was filed on or after May 1, 1992.

3. VENUE

- 3.1** Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas. Respondent's address and principal place of practice is Harris County, Texas; therefore, venue is appropriate in Harris County, Texas, pursuant to Rule 3.03 of the TEXAS RULES OF DISCIPLINARY PROCEDURE, (TRDP). Respondent, **RICKEY A. WATSON** may be served with citation by and through his attorney of record, Carol L. Watson, **WALLACE & WATSON**, P. O. Box 621, 2616 S. Loop West, Suite 512, Houston, TX 77054.

4. ULLOA COMPLAINT

PURSUANT TO PART III OF THE TEXAS RULES OF DISCIPLINARY PROCEDURE, PETITIONER REQUESTS THIS COURT DISCIPLINE WATSON FOR HIS ACTS OF PROFESSIONAL MISCONDUCT.

- 4.1 A. WATSON ENGAGED IN CONDUCT VIOLATING TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT: 1.01 (b)(1) for neglecting a legal matter entrusted to the lawyer.**
1. Respondent was employed by Jose Ulloa (Complainant"), for representation regarding an immigration deportation case.
 2. Respondent neglected Ulloa's case when Respondent lost his client's file.
 3. Respondent failed to take appropriate action necessary regarding Ulloa's case.

4.2 B. WATSON ENGAGED IN CONDUCT VIOLATING TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT: 3.03(a)(5) for knowingly offering or using evidence that the lawyer knows to be false.

1. On May 9, 1997, a hearing was held in Immigration Court.
2. Respondent instructed Ulloa that he would be arrested if he appeared at the hearing.
3. Respondent instructed Ulloa to sign an affidavit informing the court that Ulloa's car had mechanical trouble that caused Ulloa to miss the hearing.
4. Respondent knew that the affidavit presented to the court contained false information.
5. The complaint that forms the basis of this cause of action was brought to the attention of the Office of the General Counsel of the State Bar of Texas by Jose Ulloa filing a complaint on or about February 19, 1998.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner the COMMISSION FOR LAWYER DISCIPLINE respectfully prays that this Court discipline Respondent as the facts shall warrant by finding professional misconduct with regard to the above-stated rule violations and imposing a sanction of reprimand, suspension and/or disbarment; and that the CFLD have all other relief to which it may show itself to be justly entitled, including costs of court, restitution to Ulloa, and attorneys' fees.

Respectfully submitted,

Steven W. Young
General Counsel

Jeannette M. Duer
Assistant General Counsel

Office of the General Counsel
State Bar of Texas
1111 Fannin, Suite 1370
Houston, Texas 77002
Phone: (713) 759-6931
Fax: (713) 752-2158



JEANNETTE M. DUER
State Bar No. 00793645

ATTORNEYS FOR PETITIONER THE
COMMISSION FOR LAWYER

J:\WATSON,RA\CFLD2.JMD\DP.WPD

STATE BAR OF TEXAS



Office of the General Counsel

May 20, 1999

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

Re: Commission for Lawyer Discipline v. Rickey A. Watson

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 Rickey A. Watson. Mr. Watson has designated Harris County, Texas, as his principal place of practice. 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 made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

Rickey A. Watson
c/o Carol L. Watson
2616 South Loop West, Suite 512
Houston, Texas 77054

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to: (1) 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; and (2) whether he or she can accommodate compliance with Mellon Service Co., et al v. Touche Ross Co., 946 S.W.2d 862 (Tex. App. - Houston [14th Dist.] 1997), which requires that all proceedings incident to a case occur in the county of proper venue. 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, service be obtained, and a file-marked copy of the petition be returned to the undersigned.

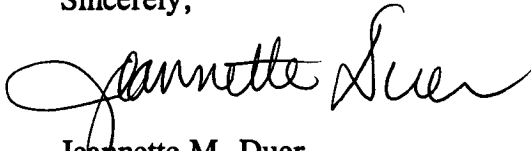
1111 Fannin, Suite 1370, Houston, Texas 77002, (713)759-6931

Mr. John Adams
May 20, 1999
Page Two

Also enclosed are a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Harris County, Texas, for the Clerk's use in returning a file-marked copy of the Petition to the undersigned.

Thank you for your courtesies in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jeannette Duer". The signature is written in black ink and is positioned above the typed name.

Jeannette M. Duer
Assistant General Counsel

JMD/cg

Enclosures

J:\WATSON.RA\CLERK1.SCT



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

AUG 04 1999

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON
HARRIET O'NEILL
ALBERTO R. GONZALES

CLERK
JOHN T. ADAMS

EXECUTIVE ASS'T
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T
JIM HUTCHESON

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

The Honorable Charles Bacarisse
District Clerk of Harris County
P.O. Box 4651
Houston, Texas 77002

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. Rickey A. Watson*, and a copy of the Supreme Court's order appointing the Honorable K. Steven Williams, Judge of the 135th District Court, Victoria, Texas, to preside in this Disciplinary Action.

Sincerely,

A stylized, dark signature of John T. Adams.

John T. Adams
Clerk

cc: Honorable K. Steven Williams
 Ms. Jeannette M. Duer
 Mr. Rickey A. Watson
 Ms. Melissa Dartez



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

CLERK
JOHN T. ADAMS

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EXECUTIVE ASS'T
WILLIAM L. WILLIS

AUG 04 1999

DEPUTY EXECUTIVE ASS'T
JIM HUTCHESON

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

Ms. Jeannette M. Duer
Assistant General Counsel, State Bar of Texas
1111 Fannin, Suite 1370
Houston, Texas 77002

Mr. Rickey A. Watson
c/o Carol L. Watson
2616 South Loop West, Suite 512
Houston, Texas 77054

Dear Ms. Duer and Mr. Watson:

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 K. Steven Williams, Judge of the 135th District Court, Victoria, Texas to preside in

Commission for Lawyer Discipline v. Rickey A. Watson

Sincerely,

SIGNED

John T. Adams
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

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CLERK
JOHN T. ADAMS

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WILLIAM L. WILLIS

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ADMINISTRATIVE ASS'T
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HARRIET O'NEILL
ALBERTO R. GONZALES

AUG 04 1999

Honorable Steven Williams
Judge, 135th District Court
115 B. Bridge Street
Victoria, Texas 77901

Dear Judge Williams:

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. Watson and Ms. Duer, 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,

A handwritten signature in dark ink, appearing to read "John T. Adams".

John T. Adams
Clerk