

**ORDER OF THE SUPREME COURT OF TEXAS**

MISC. DOCKET NO. 21-9049

**IN THE MATTER OF BRECCIA M. MCDERMED**

The Court has reviewed the Motion for Acceptance of Resignation as Attorney and Counselor at Law in Lieu of Disciplinary Action of Breccia M. McDermed (the Motion) and the Response of the Office of the Chief Disciplinary Counsel for the Commission for Lawyer Discipline (the Response). The Court concludes each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. The Court finds that Breccia M. McDermed has waived her right to withdraw the Motion. Therefore, the Court deems the professional misconduct detailed in the Response conclusively established for all purposes. The Court further concludes that Breccia M. McDermed's resignation is in the best interest of the public, the profession and Breccia M. McDermed.

Therefore, the law license of Breccia M. McDermed of Fort Worth, Texas, State Bar Card Number 24052206 is canceled. Breccia M. McDermed must immediately surrender her State Bar Card and Texas law license to the Clerk of the Supreme Court of Texas or file with the Court an affidavit stating why she cannot.

Breccia M. McDermed is prohibited from practicing law in the State of Texas. She is prohibited from holding herself 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 herself out to others or using her name in any manner in conjunction with the words "Attorney at Law," "Counselor at Law," or "Lawyer."

Additionally, Breccia M. McDermed must immediately notify in writing each of her current clients and opposing counsel of her resignation. She must also return any files, papers, unearned monies and other property in her possession belonging to any client or former client to the respective client or former client or to another attorney at the client's or former client's request. Breccia M. McDermed must file with the Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, within thirty days of the date of this Order an affidavit stating that all current clients and opposing counsel have been notified of her resignation and that all files, papers, monies and other property belonging to all clients and former clients have been returned. If it is Respondent's assertion that at the time of resignation she possessed no current clients and/or Respondent was not in possession of any files, papers, monies or other property belonging to clients, Respondent shall submit an affidavit attesting that, at the time of disbarment, Respondent had not current clients and did not possess any files, papers monies and other property belonging to clients.

Finally, Breccia M. McDermed must, within thirty days after the date of this Order, notify in writing each justice of the peace, judge, magistrate, and chief justice of each court in which Breccia M. McDermed 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) Breccia M. McDermed is representing in court. Breccia M. McDermed must file with the Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, within thirty days of the date of this Order an affidavit stating that she has notified in writing each justice of the peace, judge, magistrate, and chief justice of each court in which she has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name,

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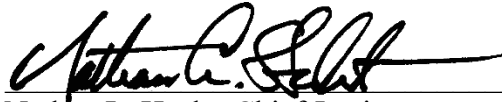
address and telephone number of the client(s) she is representing in Court. If it is Respondent's assertion that at the time of disbarment she was not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice of any court or tribunal, Respondent shall submit an affidavit attesting to the absence of any such pending matter before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice.

### **CONDITIONS FOR REINSTATEMENT**

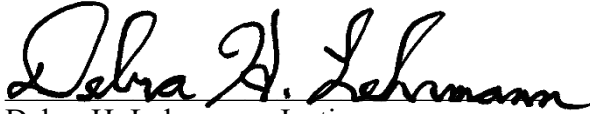
As absolute conditions precedent for the reinstatement of Breccia M. McDermed she must pay the following: (1) restitution to Frank Rodriguez in the amount of \$4,735.00; (2) restitution to Wendy Lockwood in the amount of \$2,000.00; (3) restitution to Keith Chatman in the amount of \$1,500.00; and (4) \$5,657.20 in attorneys' fees and expenses to the State Bar of Texas. The attorneys' fees and expenses payable to the State Bar of Texas are reimbursement for fees and expenses incurred by Commission for Lawyer Discipline in the matters made the basis of Breccia M. McDermed's resignation.

All payments of restitution must be made by certified or cashier's check or money order and must be delivered to the Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado Street, Austin, Texas 78701).

SO ORDERED this 15th day of June, 2021.



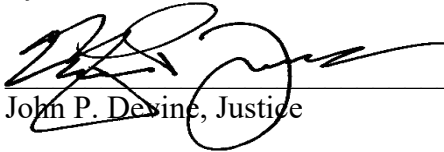
Nathan L. Hecht, Chief Justice



Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice