

ORDER OF THE SUPREME COURT OF TEXAS

9136

Misc. Docket No. 01-----

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

The Supreme Court of Texas hereby appoints the Honorable John K. Dietz, Judge of the 250th District Court of Travis County, Texas, to preside in the Disciplinary Action styled:


The Commission for Lawyer Discipline v. Catherine Shelton

filed as No. 01-03028-1 in the 162nd District Court of Dallas County, Texas.

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Dallas County, Texas, a copy of this Order for filing and service pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

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

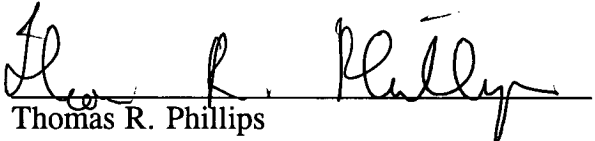
With the Seal thereof affixed at the City
Of Austin, this 9th day of August, 2001.



JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 01-9136, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 9 day of August, 2001.


Thomas R. Phillips
Chief Justice

NO. _____

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
V.	§	DALLAS COUNTY, TEXAS
CATHERINE SHELTON	§	_____ 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 (hereinafter called "Petitioner"), complains of Respondent, Catherine Shelton, (hereinafter called "Respondent"), showing the Court:

I.

Discovery Control Plan

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 II Discovery Control Plan.

II.

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 on or after May 1, 1992.

III.

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 and has her principal place of practice in Dallas County,

Texas. An officer may serve citation on Respondent's attorney, Steven Lee, 3921 Steck Avenue, # A119, Austin, Texas 78759-8647.

FIRST CAUSE OF ACTION

IV.

On or about November 3, 1998, Victor Prado ("Prado") hired Respondent to represent him in an immigration matter. Prado signed a contract providing for a total fee of two thousand five hundred dollars (\$2,500.00) and made payment of one thousand five hundred dollars (\$1,500.00).

V.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Prado's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Prado and failed to respond to Prado's requests for information regarding the status of the case.

VI.

Respondent charged Prado an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

VII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs IV, V, and VI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03 (a), (b), and 7.02(a)(5) of the Texas Disciplinary Rules of

Professional Conduct.

VIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Victor Prado filing a complaint on or about April 22, 1999.

SECOND CAUSE OF ACTION

IX.

On or about January 25, 1999, Jose Monreal ("Monreal") hired Respondent to represent him in an immigration matter. Monreal signed a contract providing for a total fee of three thousand five hundred dollars (\$3,500.00) and made payments of one thousand two hundred and sixty dollars (\$1,260.00).

X.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Monreal's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Monreal and failed to respond to Monreal's requests for information regarding the status of the matter.

XI.

Respondent charged Monreal an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically

designating immigration as an area of practice.

XII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs IX, X, and XI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

XIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Jose Monreal filing a complaint on or about May 4, 1999.

THIRD CAUSE OF ACTION

XIV.

On or about February 1, 1999, Catalina Vasquez ("Vasquez") hired Respondent to represent her in an immigration matter. Vasquez signed a contract providing for a total fee of three thousand five hundred dollars (\$3,500.00) and made payments of one thousand seven hundred fifty dollars (\$1,750.00).

XV.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Vasquez's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Vasquez and failed to respond to Vasquez's requests for information regarding the status of the

matter.

XVI.

Respondent charged Vasquez an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

XVII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XIV, XV, and XVI, and , hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

XVIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Catalina Vasquez filing a complaint on or about May 3, 1999.

FOURTH CAUSE OF ACTION

XIX.

On or about March 9, 1999, Andres Trejo ("Trejo") hired Respondent to represent him in an immigration matter. Trejo signed a contract providing for a total fee of seven thousand five hundred dollars (\$7,500.00) and made payments of one thousand eight hundred dollars (\$1,800.00).

XX.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Trejo's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Trejo and failed to respond to Trejo's requests for information regarding the status of the matter.

XXI.

Respondent charged Trejo an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

XXII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XIX, XX, and XXI, and , hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

XXIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Andres Trejo filing a complaint on or about April 5, 1999.

FIFTH CAUSE OF ACTION

XXIV.

On or about, Esteban Gandara ("Gandara") hired Respondent to represent him in an immigration matter. Gandara signed a contract providing for a total fee of two thousand dollars (\$2,000.00) and made payments of one thousand five hundred dollars (\$1,500.00).

XXV.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Gandara's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Gandara and failed to respond to Gandara's requests for information regarding the status of the matter.

XXVI.

Respondent charged Gandara an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

XXVII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XXIV, XXV, and XXVI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

XXVIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Esteban Gandara filing a complaint on or about May 4, 1999.

SIXTH CAUSE OF ACTION

XXIX.

On or about January 6, 1999, Sixto Castaneda ("Castaneda") hired Respondent to represent him in an immigration matter. Castaneda signed a contract providing for a total fee of two thousand five hundred dollars (\$2,500.00) and made payments of one thousand seven hundred dollars (\$1,700.00).

XXX.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Castaneda's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Castaneda and failed to respond to Castaneda's requests for information regarding the status of the matter.

XXXI.

Respondent charged Castaneda an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

XXXII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XXIX, XXX, and XXXI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

XXXIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Sixto Castaneda filing a complaint on or about April 8, 1999.

SEVENTH CAUSE OF ACTION

XXXIV.

On or about February 22, 1999, Castulo Candelario ("Candelario") hired Respondent to represent him in an immigration matter. Candelario signed a contract providing for a total fee of two thousand five hundred dollars (\$2,500.00) and made payments of one thousand two hundred fifty dollars (\$1,250.00).

XXXV.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Candelario's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Candelario and failed to respond to Candelario's requests for information regarding the status of the matter.

XXXVI.

Respondent charged Candelario an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

XXXVII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XXXIV, XXXV, and XXXVI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

XXXVIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Castulo Candelario filing a complaint on or about May 3, 1999.

EIGHTH CAUSE OF ACTION

XXXIX.

On or about October 21, 1999, Jose Lazo, ("Lazo") hired Respondent to represent him in an immigration matter. Lazo signed a contract providing for a total fee of three thousand dollars (\$3,000.00) and made payments of two thousand five hundred dollars (\$2,500.00).

XL.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Lazo's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Lazo and failed to respond to Lazo's requests for information regarding the status of the matter.

XLI.

Respondent charged Lazo an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

XLII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XXXIX, XL, and XLI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

XLIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Jose Lazo filing a complaint on or about May 4, 1999.

NINTH CAUSE OF ACTION

XLIV.

On or about February 10, 1999, Guillermo Medina, ("Medina") hired Respondent to represent him in an immigration matter. Medina signed a contract providing for a total fee of two thousand dollars (\$2,000.00) and made payments of two thousand five hundred dollars (\$2,000.00).

XLV.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Medina's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Medina and failed to respond to Medina's requests for information regarding the status of the matter.

XLVI.

Respondent charged Medina an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

XLVII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XLIV, XLV, and XLVI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

XLVIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Guillermo Medina filing a complaint on or about May 12, 1999.

TENTH CAUSE OF ACTION

XLIX.

On or about February 10, 1999, Maria Mata, ("Mata") hired Respondent to represent her in an immigration matter. Mata signed a contract providing for a total fee of three thousand dollars (\$3,000.00) and made payments of seven hundred fifty dollars (\$750.00).

L.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Mata's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Mata and failed to respond to Mata's requests for information regarding the status of the matter.

LI.

Respondent charged Mata an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

LII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XLIX, L, and LI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

LIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Maria Mata filing a complaint on or about April 28, 1999.

ELEVENTH CAUSE OF ACTION

LIV.

On or about September 17, 1998, Christina Hoefle ("Hoefle") hired Respondent to represent her father, Hector Escobedo, in an immigration matter. Escobedo signed a contract providing for a total fee of three thousand dollars (\$3,000.00) and the full amount was paid by October 30, 1998.

LV.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Escobedo's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Escobedo and failed to respond to Escobedo's requests for information regarding the status of the matter.

LVI.

Respondent charged Hoefle and Escobedo an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

LVII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XIV, LV, and LVI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

LVIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Christina Hoefle filing a complaint on or about June 1, 1999.

TWELFTH CAUSE OF ACTION

LIX.

On or about February 22, 1999, Olga Garza ("Garza") hired Respondent to represent her in an immigration matter. Garza signed a contract providing for a total fee of three thousand dollars (\$3,000.00) and made payments of one thousand two hundred and fifty dollars (\$1,250.00).

LX.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Garza's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Garza and failed to respond to Garza's requests for information regarding the status of the matter.

LXI.

Respondent charged Garza an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

LXII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs LIX, LX, and LXI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

LXIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Olga Garza filing a complaint on or about April 28, 1999.

THIRTEENTH CAUSE OF ACTION

LXIV.

On or about December 30, 1998 , Mayra Rodriguez (“Rodriguez”) hired Respondent to represent her in an immigration matter. Rodriguez signed a contract providing for a total fee of two thousand five hundred dollars (\$2,500.00) and made payments of two thousand dollars (\$2,000.00).

LXV.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Rodriguez’s without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Rodriguez and failed to respond to Rodriguez’s requests for information regarding the status of the matter.

LXVI.

Respondent charged Rodriguez an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent’s advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

LXVII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs LXIV, LXV, and LXVI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

LXVIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Mayra Rodriguez filing a complaint on or about May 3, 1999.

FOURTEENTH CAUSE OF ACTION

LXIX.

On or about December 30, 1998 , Jose Rodriguez ("Rodriguez") hired Respondent to represent him in an immigration matter. Rodriguez signed a contract providing for a total fee of three thousand dollars (\$3,000.00) and made payments of one thousand seven hundred fifty dollars (\$1,750.00).

LXX.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Rodriguez's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Rodriguez and failed to respond to Rodriguez's requests for information regarding the status of the matter.

LXXI.

Respondent charged Rodriguez an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

LXXII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs LXIX, LXX, and LXXI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

LXIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Jose Rodriguez filing a complaint on or about June 3, 1999.

FIFTEENTH CAUSE OF ACTION

LXIV.

On or about December 30, 1998, Yolanda Campos ("Campos") hired Respondent to represent him in an immigration matter. Campos signed a contract providing for a total fee of two thousand dollars (\$2,000.00) and made payments of five hundred (\$500.00) dollars.

LXXV.

Respondent permitted non-lawyer assistants to interview, sign up, and handle immigration matters such as Campos's without supervision. Respondent was not experienced in immigration matters and not competent to handle such cases. Respondent performed no legal services on behalf of Campos and failed to respond to Campos's requests for information regarding the status of the matter.

LXXVI.

Respondent charged Campos an unconscionable fee based upon her lack of experience in immigration matters. Further, Respondent's advertisements published in Spanish language newspapers contained false or misleading communications about her qualifications by specifically designating immigration as an area of practice.

LXXVII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs LXIV, LXXV, and LXXVI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), (b), 1.03(a), 1.04(a), 5.03(a), (b) and 7.02(a)(5) of the Texas Disciplinary Rules of Professional Conduct.

LXXVIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Yolanda Campos filing a complaint on or about July 30, 1999.

SIXTEENTH CAUSE OF ACTION

LXXIX.

On January 4, 1999, Florestela Mendiola ("Mendiola") hired Respondent to represent Mendiola in an immigration matter. Mendiola paid Respondent two thousand four hundred and seventy-five (\$2,475.00) dollars.

LXXX.

Thereafter, Respondent performed no legal services on behalf of Mendiola and failed to

respond to Mendiola's requests for information regarding the status of the matter. Further, Respondent failed, despite Mendiola's requests, to account for the funds received from Mendiola.

LXXXI.

Such acts and/or omissions on the part of Respondent as are described in Paragraph LXXIX, and LXXX, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(b), 1.03(a), and 1.14(b) of the Texas Disciplinary Rules of Professional Conduct.

LXXXII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Florestela Mediola filing a complaint on or about April 5, 2000.

SEVENTEENTH CAUSE OF ACTION

LXXXIII.

On January 13, 1999, Saul Dominguez ("Dominguez") hired Respondent to represent Dominguez in an immigration matter. Dominguez paid Respondent seven hundred and fifty (\$750.00) dollars. Thereafter, Respondent failed to keep Dominguez informed about the status of the matter and failed to perform any legal services on Dominguez' behalf.

LXXXIV.

Respondent failed to safeguard information and documents provided by Dominguez to Respondent. Respondent's neglect resulted in the loss of that information and documents.

LXXXV.

Respondent failed to keep funds paid by Dominguez to Respondent in a trust or escrow fund.

Further, Respondent failed, upon Dominguez's request, to account for such funds.

LXXXVI.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs LXXXIII, LXXXIV, and LXXXV hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(a), 1.03(a), and 1.14(a)(b) of the Texas Disciplinary Rules of Professional Conduct.

LXXXVII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Saul Dominguez filing a complaint on or about April 5, 2000.

EIGHTEENTH CAUSE OF ACTION

LXXXVIII.

On or about February 2, 1999, Guadalupe Martinez ("Martinez") employed Respondent to represent her in an immigration matter. Martinez signed a contract providing for a total fee of two thousand five hundred dollars (\$2,500.00) which was paid in full by Martinez. Respondent had the case for approximately one and one half years. During the course of the representation, Respondent failed to perform any meaningful legal services on behalf of Martinez. Further, despite Martinez's request, Respondent has failed to account for the funds received from Martinez.

LXXXVIX.

Respondent failed to properly supervise Respondent's legal assistant during the course of the representation and as a consequence, Martinez's case was neglected.

XC.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs LXXXVIII, and LXXXVIX, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(b), 1.14(b), and 5.03(a)(b) of the Texas Disciplinary Rules of Professional Conduct.

XCI.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Guadalupe Martinez filing a complaint on or about June 23, 2000.

NINETEENTH CAUSE OF ACTION

XCII.

On or about October 24, 1998, Rafique Masih ("Masih") hired Respondent to represent him in an immigration matter. Masih signed a contract providing for a total of two thousand five hundred dollars (2,500.00) and made payments of one thousand five hundred (\$1,500.00) dollars. Thereafter, Respondent failed to provide any legal services on Masih's behalf.

XCIII.

Respondent failed to safeguard information and documents received from Masih resulting in a loss of that information and documents. Further, despite requests from Masih, Respondent failed to account for the funds received from Masih.

XCIV.

During the period of representation, Respondent failed to properly supervise her non-lawyer

assistant to insure her conduct was compatible with Respondent's professional obligations as a lawyer.

XCV.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs XCII, XCIII and XCIV, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(b), 1.14(a),(b), and 5.03(a)(b) of the Texas Disciplinary Rules of Professional Conduct.

XCVI.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Rafique Masih filing a complaint on or about July 28, 2000.

PRAYER

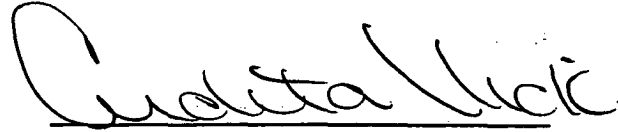
WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

Respectfully submitted,

Dawn Miller
Chief Disciplinary Counsel

Ardita Vick
Assistant Disciplinary Counsel

State Bar of Texas
Office of the Chief Disciplinary Counsel
3710 Rawlins - Suite 800
Dallas, Texas 75219
(214) 559-4353
(214) 559-4335 (Fax)



Ardita Vick
State Bar Card No: 00786311

ATTORNEYS FOR PETITIONER

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

June 5, 2001

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

Re: *Commission for Lawyer Discipline vs. Catherine Shelton; Cause No: 01-03028-I*
In the 162nd Judicial District Court of Dallas County, Texas

Dear Mr. Willis:

Enclosed please find our Objection To Assigned Judge in the above-referenced matter. You will note that all parties have been served with a copy of the motion.

I am hoping you can educate me (as usual) and let me know what else, if anything, needs to be submitted to you. I assume you will select another judge upon receipt of this objection. If this is incorrect please advise me at your earliest possible convenience.

You can reach me at (214) 559-4353 ext. 112. As always, I appreciate your professional courtesies in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Karen Porter".

Karen Porter
Legal Assistant to Ardita Vick

LAW OFFICES OF
WEIL & PETROCCHI
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS
1001 ELM STREET - LOCK BOX 100
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DALLAS, TEXAS 75201

(214) 969-7272
FACSIMILE COPIER
(214) 880-7402

June 4, 2001

BY HAND DELIVERY

Deputy Clerk, 162nd District Court
George L. Allen, Sr., Courts Building
Dallas County Government Center, 6th Floor
600 Commerce Street
Dallas, Texas 75202

Re: Comm'n LD / C. Shelton
No. 01-03028-I, 162ND DC/DAL/Tx; Commission for
Lawyer Discipline v. Catherine Shelton
Transmittal of Objection to Assigned Judge and Proposed Order

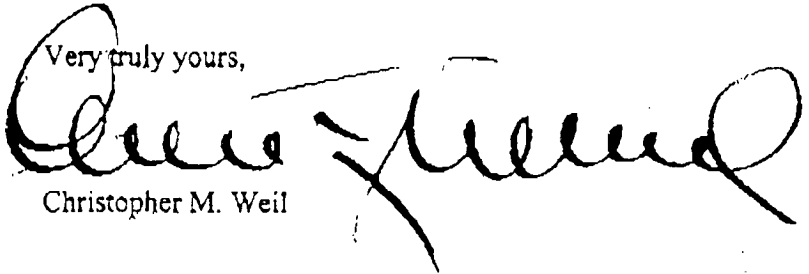
Ladies and Gentlemen:

Enclosed please find the original and copies of Petitioner's Objection to Assigned Judge, and proposed Order, which we ask that you cause to be filed in the referenced matter, returning file-stamped copies to us.

By copy hereof, we are forwarding a copy of the referenced document to counsel noted below and Judge Mireles.

Thank you for your assistance.

Very truly yours,


Christopher M. Weil

Enclosures

cc: Steven L. Lee, Esq.

Hon. Andy Mireles
District Judge, Bexar County

Ardita Vick, Esq.
Dawn Miller, Esq.

NO. 01-03028-I

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
	§	
V.	§	DALLAS COUNTY, TEXAS
	§	
CATHERINE SHELTON	§	162ND JUDICIAL DISTRICT

PETITIONER'S OBJECTION TO ASSIGNED JUDGE

Petitioner, the Commission for Lawyer Discipline, files this objection to the judge assigned to hear this matter and requests the Texas Supreme Court to assign another judge to hear this case.

Petitioner, the Commission for Lawyer Discipline, has brought this disciplinary proceeding against Respondent, Catherine Shelton, based on allegations of Respondent's violations of the Texas Disciplinary Rules of Professional Conduct. The Supreme Court of Texas assigned Hon. Andy Mireles, District Judge of the 73rd Judicial District Court, Bexar County, Texas to hear this matter.

Petitioner objects to Judge Mireles. Texas Rule of Disciplinary Procedure 3.02 provides that:

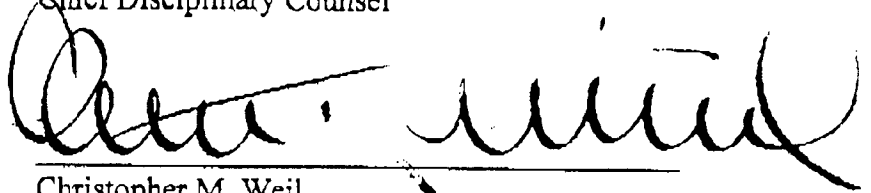
The judge appointed shall be subject to recusal under the Rules of Civil Procedure and objection, as provided by law, through a motion filed by either party not later than sixty (60) days from the date the Respondent is served with the Supreme Court's order appointing the judge,

Respondent was served with the Supreme Court's order appointing Judge Mireles on April 10, 2001, a true copy of which is attached as Exhibit 1. Petitioner files this objection within 60 days of Judge Mireles' appointment under the Texas Rule of Disciplinary Procedure 3.02.

WHEREFORE, Petitioner, the Commission for Lawyer Discipline, asks that the assigned judge acknowledge the objection and remove himself from this case, and that the Texas Supreme Court assign another district judge to preside over and hear this suit.

Respectfully submitted,

Dawn Miller
Chief Disciplinary Counsel




Christopher M. Weil
Texas State Bar No. 21079000

WEIL & PETROCCHI, P.C.
1601 Elm Street, Suite 1900
Dallas, Texas 75201
(214) 969-7272 (office)
(214) 880-7402 (facsimile)

ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I certify that on the 4 day of June, 2001, a true and correct copy of Petitioner's Objection to Assigned Judge was delivered to Catherine Shelton, by and through her attorney of record, Steve Lee, 3921 Steck Ave., Suite A119, Austin, Texas 78759 via facsimile at (512) 346-8969.



Christopher M. Weil

EXHIBIT 1

Notice of Assigned Judge

ORDER OF THE SUPREME COURT OF TEXAS**9051**

Misc. Docket No. 01_____

Appointment of a District Judge to Rule on a Motion
to Recuse filed in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable Andy Mireles, Judge of the
73rd District Court of Bexar County, Texas, to preside in the Disciplinary Action styled:

The Commission for Lawyer Discipline v. Catherine Shelton

to be filed in a District Court of Dallas County, Texas.

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Dallas
County, Texas, a copy of the Disciplinary Petition and this Order for filing and service pursuant to
Rule 3.03, Texas Rules of Disciplinary Procedure.

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

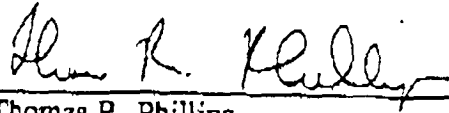
With the Seal thereof affixed at the City
Of Austin, this 4th day of April, 2001.



JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 01-9051, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 4 day of April, 2001.



Thomas R. Phillips
Chief Justice

NO. 01-03028-I

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
	§	
V.	§	DALLAS COUNTY, TEXAS
	§	
CATHERINE SHELTON	§	162ND JUDICIAL DISTRICT

ORDER SUSTAINING PETITIONER'S OBJECTION TO ASSIGNED JUDGE

On this day, the assigned judge considered the Commission for Lawyer Discipline's Objection to the assigned judge, the Honorable Andy Mireles. After considering the objection, any response, the pleadings, and the arguments of counsel, the assigned judge finds that same has merit. Accordingly it is

ORDERED that Petitioner's objection to the assigned judge is SUSTAINED as to the Honorable Andy Mireles, and this Court requests the Supreme Court of Texas to assign another judge to preside over the case.

Signed June _____, 2001.

Hon Andy Mireles, Presiding Judge
73rd District Court, Bexar County
Specially Assigned



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK
JOHN T. ADAMS

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
DEBORAH G. HANKINSON
HARRIET O'NEILL
WALLACE B. JEFFERSON

EXECUTIVE ASSISTANT
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

AUG 15 2001

The Honorable Jim Hamlin
District Clerk of Dallas County
George L. Allen Courts Building
600 Commerce Street
Dallas, Texas 75202

Dear Mr. Hamlin:

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. Catherine Shelton*, and a copy of the Supreme Court's order appointing the Honorable John K. Dietz, Judge of the 250th District Court in Austin, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Honorable John K. Dietz
Ms. Ardita Vick
Ms. Catherine Shelton



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

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JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

AUG 15 2001

Honorable John K. Dietz
Judge, 250th District Court
P.O. Box 1748
Austin, Texas 78767-1748

Dear Judge Dietz:

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. Vick and Ms. Shelton, and a copy of the letter to the District Clerk of Dallas County.

We then recommend that, either before or immediately after you set the case for trial, the Dallas County District Court Administrative Office (214-653-6510) be contacted 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 (214-653-2943) 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

201 West 14th Street Post Office Box 12248 Austin TX 78711
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NADINE SCHNEIDER

AUG 15 2001

Ms. Ardita Vick
Assistant General Counsel, State Bar of Texas
3710 Rawlins, Suite 800
Dallas, Texas 75219

Ms. Catherine Shelton
c/o Steven Lee
3921 Steck Avenue, A-119
Austin, Texas 78759-8647

Dear Ms. Vick and Mr. Shelton:

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 John K. Dietz, Judge of the 250th District Court, Austin, Texas to preside in

Commission for Lawyer Discipline v. Catherine Shelton

Sincerely,

SIGNED

John T. Adams
Clerk