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CAUSE NO. _____

**COMMISSION FOR
LAWYER DISCIPLINE,
Petitioner**

vs

**MICHAEL W. WILLIAMS
Respondent**

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§

IN THE DISTRICT COURT

_____ **JUDICIAL DISTRICT**

NUECES COUNTY, TEXAS

ORIGINAL DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the Commission for Lawyer Discipline, Petitioner, and would respectfully show the following:

I.

DISCOVERY CONTROL PLAN

Discovery proceedings in this cause should be conducted on Level 2 pursuant to Tex.R.Civ.P. Rule 190.3.

II.

PARTIES

Petitioner is the Commission for Lawyer Discipline, a committee of the State Bar of Texas. Respondent, Michael W. Williams, State Bar No. 21564500, is an attorney licensed to practice law in the State of Texas and is a member of the State Bar of Texas. Respondent maintains his principal place of practice in Corpus Christi, Nueces County, Texas. Respondent may be served with process at his residence at [REDACTED]

[REDACTED]

III.

JURISDICTION, VENUE AND CONDITIONS PRECEDENT

The cause of action and the relief sought in this case are within the jurisdictional requirements of this Honorable Court. Venue of this case is proper in Nueces County, Texas pursuant to Texas Rules of Disciplinary Procedure Rule 3.03, because Nueces County is the county of the Respondent's principal place of business or residence. All conditions precedent to proceeding with this cause have been performed or fulfilled.

IV.

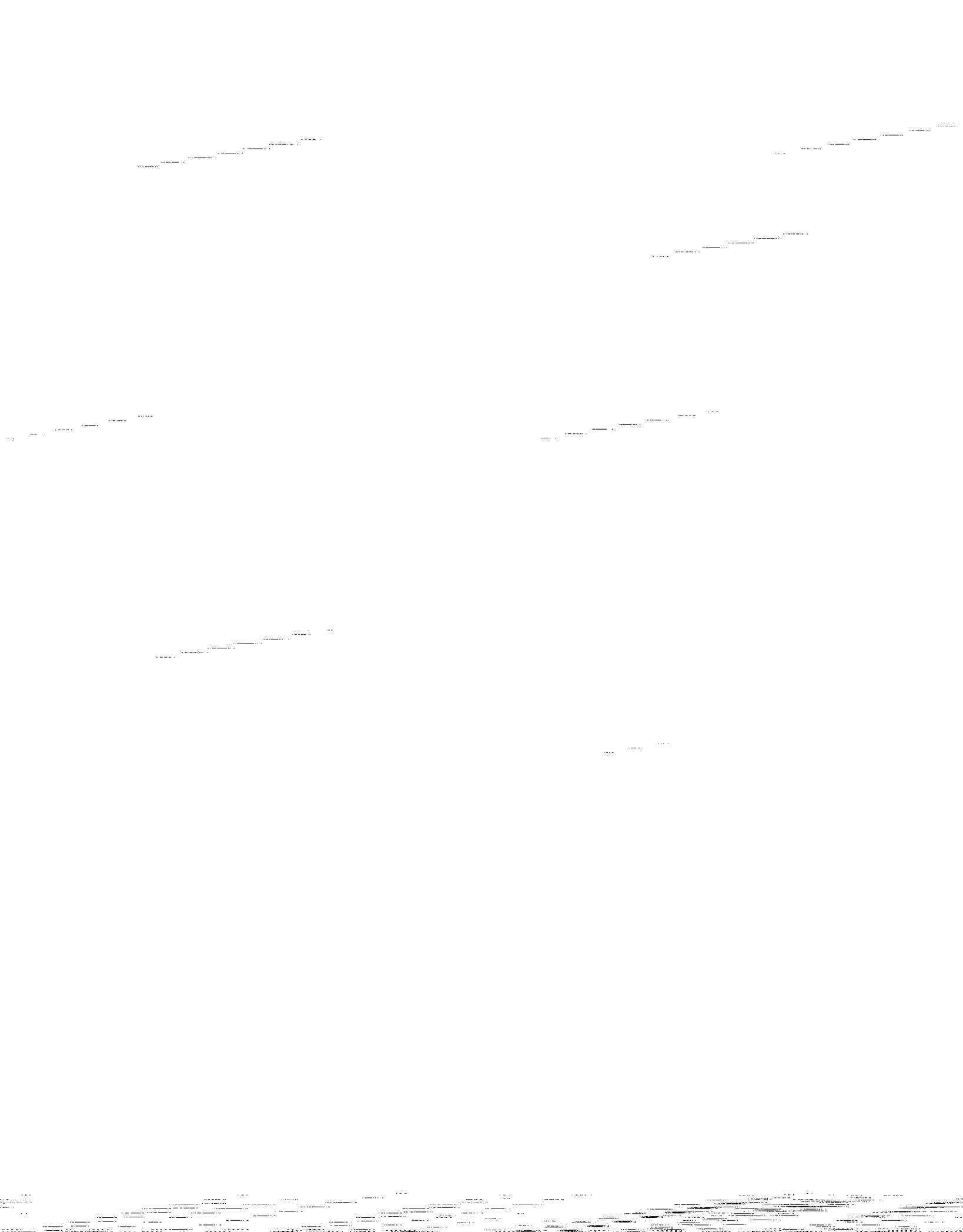
PROFESSIONAL MISCONDUCT

Petitioner brings this disciplinary action pursuant to the State Bar Act, Tex.Gov't.Code §81.001 *et seq.*, the Disciplinary Rules of Professional Conduct ("DRPC") and the Texas Rules of Disciplinary Procedure ("TRDP"). The complaint which forms the basis of this action was filed by Mark Garcia. The acts and omissions of Respondent, as hereinafter alleged, constitute professional misconduct.

V.

FACTUAL BACKGROUND

Mark Garcia hired Respondent to defend criminal charges which had been filed against him. Certain property, including jewelry, had been seized in connection with the criminal proceeding. Much of that property was later turned over to





STATE BAR OF TEXAS



CERTIFIED MAIL
RETURN RECEIPT REQUESTED
#7099 3220 0000 0580 7211

Regional Office
Soledad Plaza West
425 Soledad, Suite 300
San Antonio, Texas 78205
(210) 271-7881
FAX: (210) 271-9642

October 22, 2001

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

RE: Commission for Lawyer Discipline v. Michael W. Williams

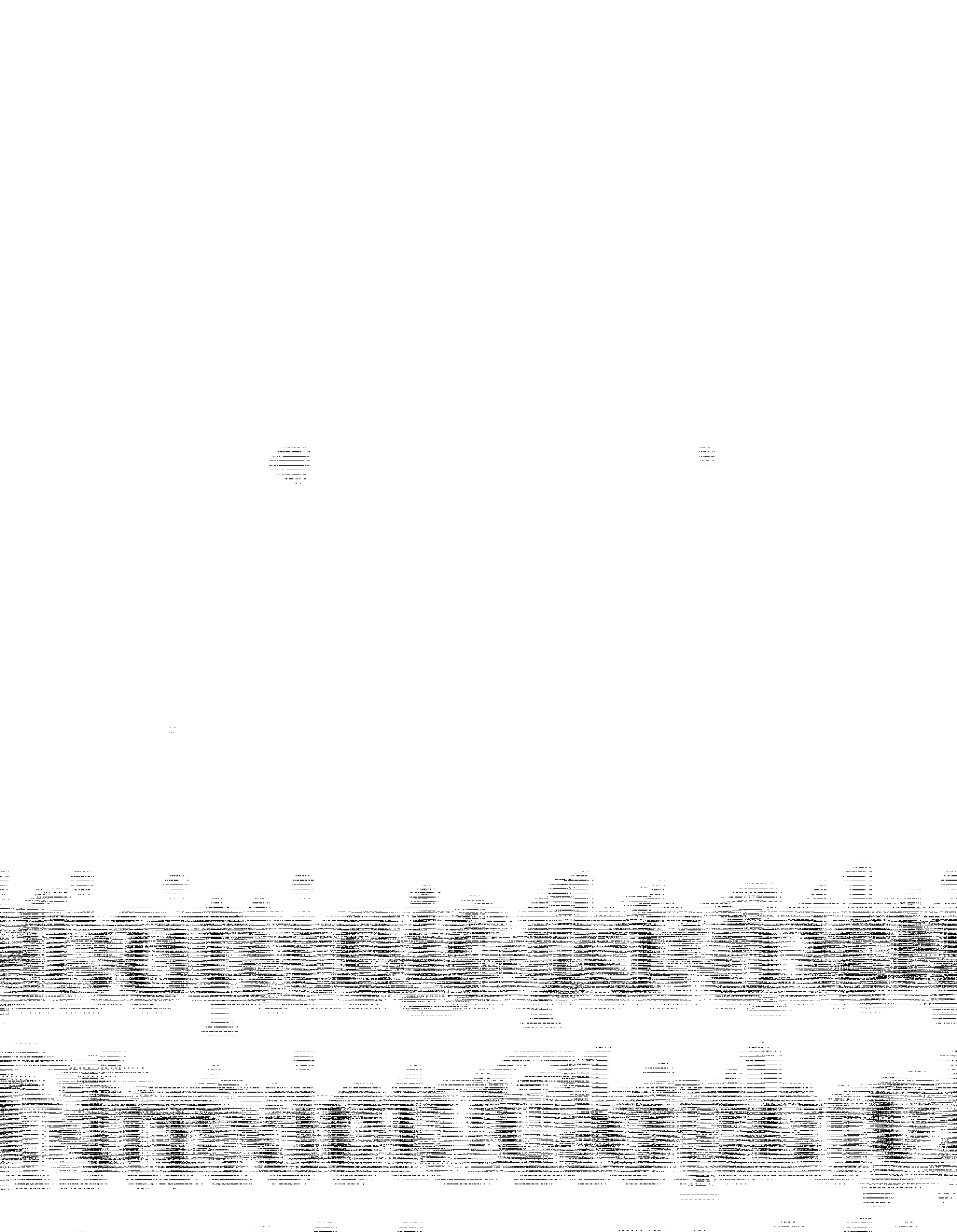
Dear Mr. Adams:

Enclosed please find an original and three (3) copies of a Disciplinary Petition being filed by the Commission for Lawyer Discipline against Michael W. Williams. Mr. Williams has designated **Nueces County** 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:

Michael W. Williams
[REDACTED]
[REDACTED]

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 as 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 three (3) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Nueces County, Texas, with the request that the suit be filed, service be obtained, and a filemarked copy of the petition returned to the undersigned.





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

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

CLERK
JOHN T. ADAMS

EXECUTIVE ASSISTANT
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

DEC 17 2001

Mr. Paul H. Homburg, III
Assistant General Counsel, State Bar of Texas
425 Soledad, Suite 300
San Antonio, Texas 78205

Mr. Michael Williams
[REDACTED]
[REDACTED]

Dear Mr. Homburg and Mr. Williams:

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 Craig Estlinbaum, Judge of the 130th District Court, Bay City, Texas to preside in

Commission for Lawyer Discipline v. Michael W. Williams

Sincerely,

SIGNED

John T. Adams
Clerk

