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3.02 Respondent may also be served by and through her attorney of record L.T.

(Butch) Bradt, at [REDACTED].

4. **PHILLIPS COMPLAINT**

**PURSUANT TO PART III OF THE TEXAS RULES OF DISCIPLINARY PROCEDURE, PETITIONER REQUEST THIS COURT TO DISCIPLINE HOMMINGA FOR ACTS OF PROFESSIONAL MISCONDUCT.**

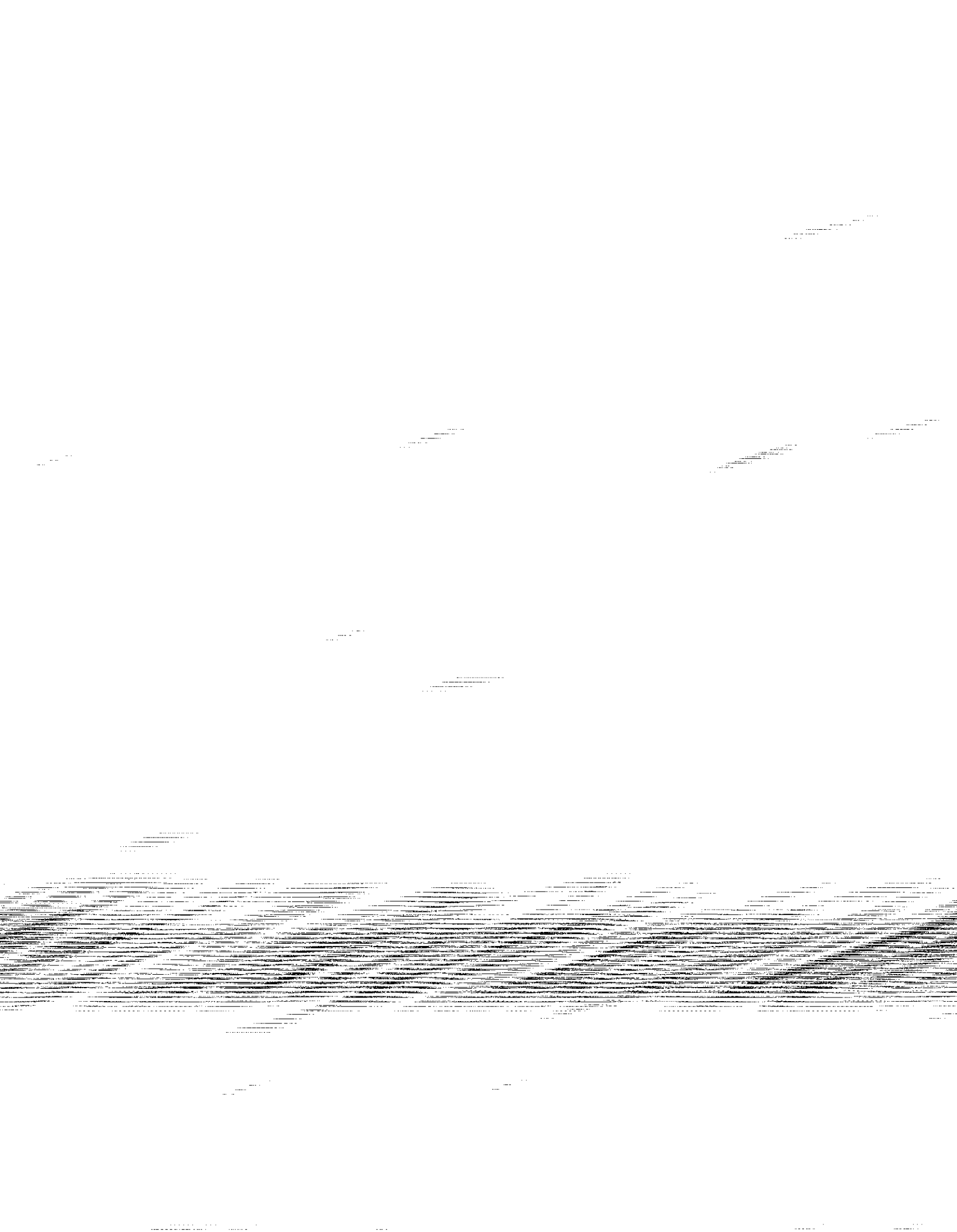
**4.01 HOMMINGA ENGAGED IN CONDUCT VIOLATING TEXAS DISCIPLINARY RULE OF PROFESSIONAL CONDUCT**

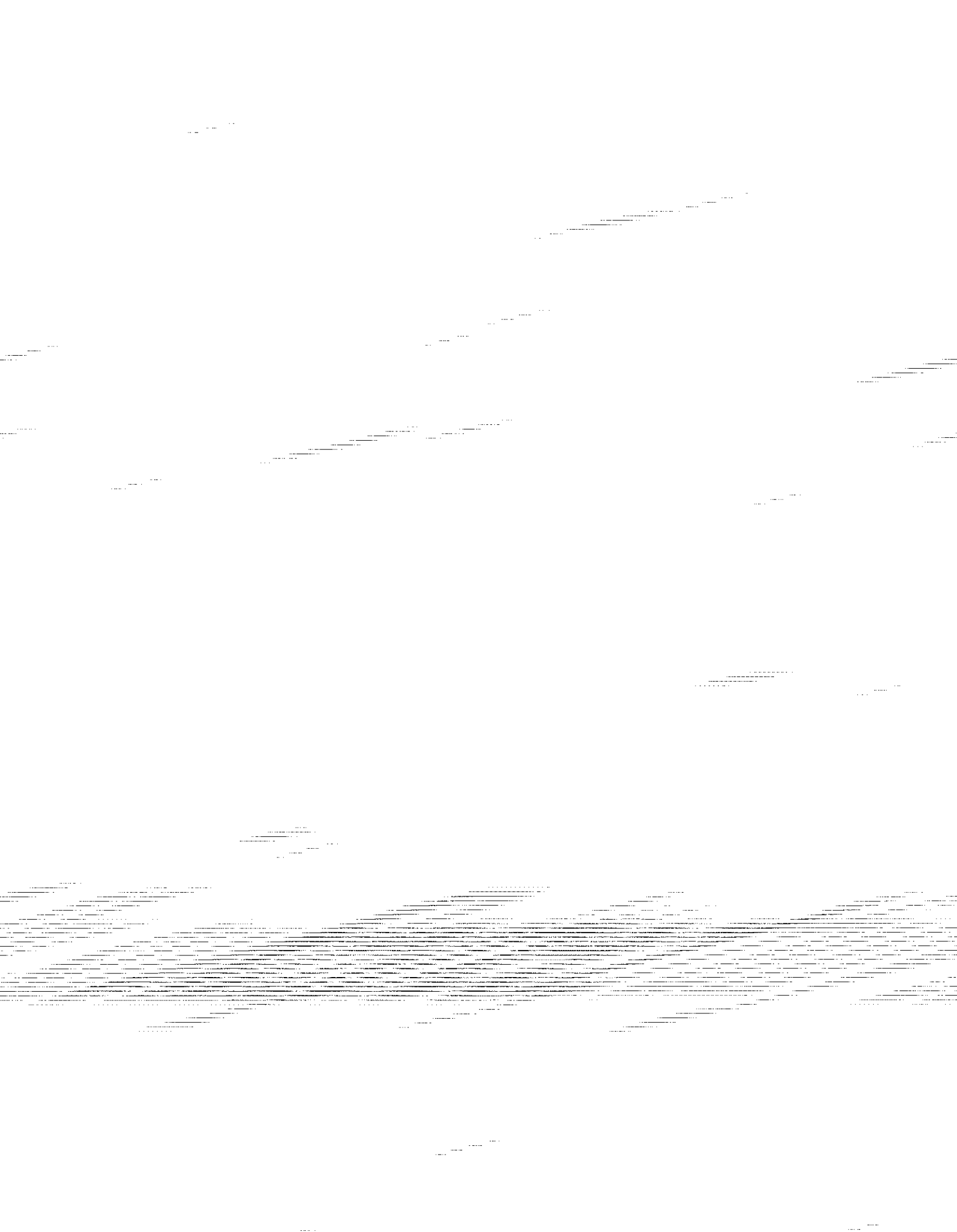
**1.01(b)(1)** [in representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer];

**8.01(b)** [fail to correct a misapprehension known by the person to have arisen in the matter, or knowingly fail to respond to a lawful demand for information from an admission, reinstatement, or disclosure on information otherwise protected by Rule 1.05];

**8.04(a)(8)** [fail to timely furnish to the Chief Disciplinary Counsel's office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless or other legal ground for failure to do so].

- A. On or about October 28, 1996, Billy Phillips ("Phillips"), retained Respondent to represent him in an appeal pertaining to a Bill of Review for his pension.
- B. Phillips paid Respondent \$1,000.00 for her professional services.
- C. Respondent neglected Phillips's legal matter, by closing Respondent's law office and leaving Phillips's file and papers in the office hallway, and failing to communicate with Phillips.





# STATE BAR OF TEXAS



## Office of the General Counsel

December 22, 1997

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

Re: Commission for Lawyer Discipline v. Betty Barret Homminga

Dear Mr. Adams:

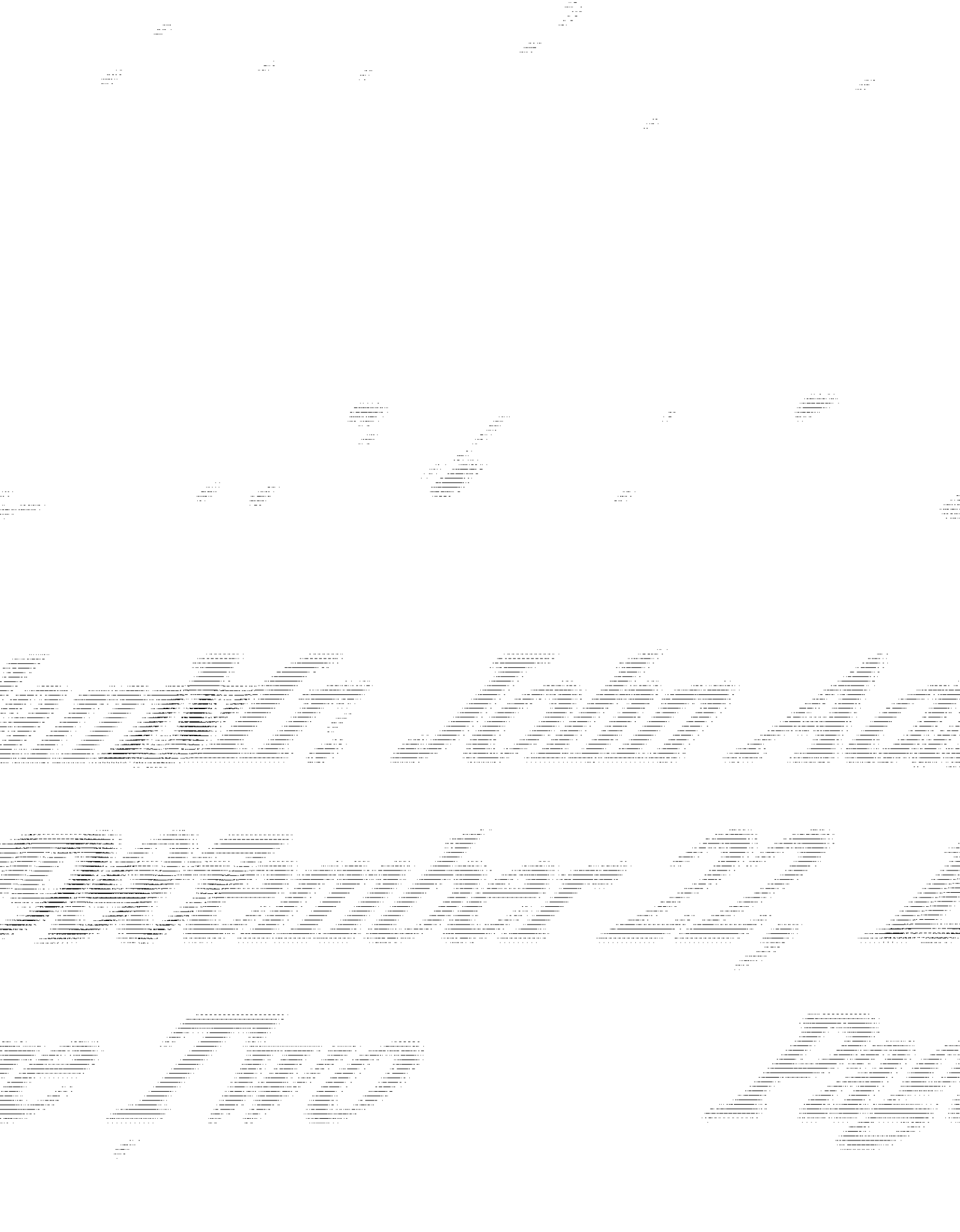
Enclosed please find an original and two (2) copies of a Disciplinary Petition being filed by the Commission for Lawyer Discipline against Betty Barret Homminga. Ms. Homminga has designated Harris County, Texas, as her principal place of practice. Request is hereby made that the Court appoint an active 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:

Betty Barret Homminga  
C/O L. T. (Butch) Bradt

[REDACTED]  
[REDACTED]

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to: (1) whether 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 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.







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

CLERK  
JOHN T. ADAMS

JUSTICES  
RAUL A. GONZALEZ  
NATHAN L. HECHT  
CRAIG T. ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT  
DEBORAH G. HANKINSON

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

February 6, 1998

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

Ms. Betty Barret Homminga  
c/o L.T. 'Butch' Bradt

[REDACTED]  
[REDACTED]

Dear Ms. Duer and Ms. Homminga:

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 Joel B. Johnson, Judge of the 156<sup>th</sup> District Court of Sinton, Texas to preside in

Commission for Lawyer Discipline v. Betty Barret Homminga

Sincerely,

**SIGNED**

John T. Adams  
Clerk



