

**IN THE SUPREME COURT OF TEXAS
IN THE MATTER OF JACK CLINTON LOONEY**

MISC. DOCKET NO. 98- 9026

ORDER

On this day, the court considered the Motion for Acceptance of Resignation in Lieu of Discipline filed by Attorney and Counselor at Law, Jack Clinton Looney, together with the Response by Chief Disciplinary Counsel to the Motion for Acceptance of Resignation in Lieu of Discipline as Attorney and Counselor of Jack Clinton Looney. The Court has reviewed said Motion and Response and finds that each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. In conformity with Part X, Section 10.02, of the Texas Rules of Disciplinary Procedure, the Court considers the detailed statement of professional misconduct contained within the Response of Chief Disciplinary Counsel to be conclusively established for all purposes. The Court, being advised that the acceptance of the resignation is in the best interest of the public and the profession, hereby concludes that the following Order is appropriate.

IT IS ORDERED that the law license of Jack Clinton Looney of Lubbock, Texas, State Bar Card Number 12555000, heretofore issued by the Court, be cancelled and his name be dropped and deleted from the list of persons licensed to practice law in Texas.

The Court acknowledges previous receipt of the Texas law license and State Bar Card of Jack Clinton Looney.

IT IS FURTHER ORDERED that Jack Clinton Looney, be and hereby is, permanently enjoined and prohibited from practicing law in the State of Texas, holding himself out as an attorney at law, performing any legal services for others, giving legal advice to others, accepting

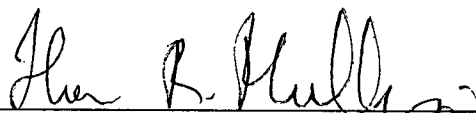
any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body (whether state, county, municipal, or other), or holding himself out to others or using his name in any manner in conjunction with the words "Attorney at Law," "Counselor at Law," or "Lawyer."

IT IS FURTHER ORDERED that Jack Clinton Looney, shall, within thirty (30) days after the date on which this Order is signed by the Court, notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every Texas court in which Jack Clinton Looney may have any client matter pending, advising each court of his resignation, of the style and cause number of any matter pending in that court, and of the name, address and telephone number of the client(s) he is representing in that court. Jack Clinton Looney, is ORDERED to send copies of all such notifications to the Office of the General Counsel, State Bar of Texas, 201 Main Street, Suite 1150, Fort Worth, Texas 76102.

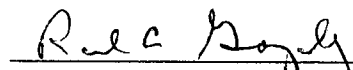
By the Court, en banc and in chambers, on this the 12th day of

January


, 1998.




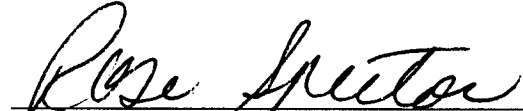
Thomas R. Phillips, Chief Justice




Raul A. Gonzalez, Justice

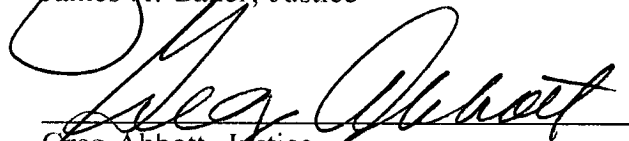

Nathan L. Hecht, Justice

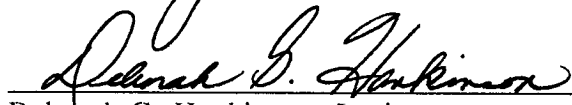

Craig T. Enoch, Justice


Rose Spector, Justice


Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice

IN THE SUPREME COURT OF TEXAS

**RESPONSE OF THE CHIEF DISCIPLINARY COUNSEL OF THE
STATE BAR OF TEXAS REGARDING
JACK CLINTON LOONEY**

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Steven W. Young, Chief Disciplinary Counsel of the State Bar of Texas, in accordance with Part X of the Texas Rules of Disciplinary Procedure, hereby file a response on behalf of the State Bar of Texas, acting by and through the Commission for Lawyer Discipline, to the Motion for Acceptance of Resignation in Lieu of Discipline as Attorney and Counselor at Law of Jack Clinton Looney, dated December 10, 1997. The acceptance of the resignation of Jack Clinton Looney is in the best interest of the public and the profession.

The professional misconduct with which Jack Clinton Looney (hereafter called "Looney"), is charged is as follows:

F2079601511

On or about March 11, 1996, Looney was retained to represent Josie Peralez (the "Complainant") in a divorce. The Complainant paid Looney \$750.00 cash for his services. Looney neglected the legal matter entrusted to him by not filing the petition for divorce.

By Judgment signed and entered on April 15, 1996 in Cause No. 95-552,297, styled Commission for Lawyer Discipline v. Jack C. Looney, in the 364th Judicial Court of Lubbock County, Texas, Looney was adjudged to have engaged in professional misconduct and was actively suspended from the practice of law for a period of two (2) years beginning May 1, 1996 and ending May 1, 1998. Looney continued to practiced law while his license was suspended,

knowingly violated the Texas Disciplinary Rules of Professional Misconduct, failed to comply with Section 13.01 of the Texas Rules of Disciplinary Procedure, failed to notify the Complainant of his suspension, failed to properly disengage from the representation of Complainant and failed to return unearned fees.

The foregoing facts support violations of Rules 1.01(b)(1), 8.04(a)(1), 8.04(a)(3), 8.04(a)(7), 8.04(a)(10), and 8.04(a)(11) of the Texas Disciplinary Rules of Professional Conduct.

F2079601513

In or about June 1992, Leon Lee Reyes (the "Complainant") hired Looney to represent him in a personal injury matter. Looney neglected Complainant's case. By Judgment signed and entered on April 15, 1996 in Cause No. 95-552,297, styled Commission for Lawyer Discipline v. Jack C. Looney, in the 364th Judicial Court of Lubbock County, Texas, Looney was adjudged to have engaged in professional misconduct and was actively suspended from the practice of law for a period of two (2) years beginning May 1, 1996 and ending May 1, 1998. Looney continued to practice law while his license was suspended, knowingly violated the Texas Disciplinary Rules of Professional Conduct, and failed to comply with section 13.01 of the Texas Rules of Disciplinary Procedure.

The foregoing facts support violations of Rules 1.01(b)(1), 8.04(a)(1), 8.04(a)(7), 8.04(a)(10), and 8.04(a)(11) of the Texas Disciplinary Rules of Professional Conduct.

F2089601534

By Judgment signed and entered on April 15, 1996 in Cause No. 95-552,297, styled Commission for Lawyer Discipline v. Jack C. Looney, in the 364th Judicial Court of Lubbock

County, Texas, Looney was adjudged to have engaged in professional misconduct and was actively suspended from the practice of law for a period of two (2) years beginning May 1, 1996 and ending May 1, 1998. On April 16, 1996, the day after the Judgment of Active Suspension was signed and entered, Looney agreed to represent Ruby Jean Walker (the "Complainant") in a bankruptcy action. Complainant paid Looney the following for his services: \$475.00 on April 16, 1996, \$300.00 on April 25, 1996, and \$100.00 on May 1, 1996. Looney took no action on Complainant's case; failed to notify Complainant of his suspension, as ordered in Cause No. 95-552,297; failed to refund Complainant's money, as ordered in said Cause; and failed to return all files and papers to Complainant, as ordered in said Cause. Looney never communicated to the Complainant the status of her case or his suspension. Looney failed to respond to the Grievance Committee in a timely manner.

The foregoing facts support violation of Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), 8.04(a)(1), 8.04(a)(3), 8.04(a)(7), 8.04(a)(8), 8.04(a)(10), and 8.04(a)(11) of the Texas Disciplinary Rules of Professional Conduct.

F2099601562

In February, 1996, Looney was hired to represent Rafael Saenz (the "Complainant") in a contested divorce. The complainant paid Looney \$750.00 for his services. Looney neglected the matter entrusted to him, and did not return any unearned fee to Complainant.

The foregoing facts support violation of Rules 1.01(b)(1) and 1.15(d) of the Texas Disciplinary Rules of Professional Conduct.

F2099601552

In April, 1996, Jerri Simmons-Asmussen (the "Complainant") retained Respondent to handle an adoption of a minor child for her and her husband. Complainant paid Respondent \$630.00 as a retainer fee. Looney neglected Complainant's legal matter and failed to perform the work or services for which he was paid. Looney did not refund the unearned fees.

The foregoing facts support violation of Rules 1.01(b)(1) and 1.15(d) of the Texas Disciplinary Rules of Professional Conduct.

F2099601574

On or about March 31, 1995, Phillip A. Thompson (the "Complainant") retained Looney to represent him in a divorce proceeding. Complainant paid Looney the total sum of \$1,050.00 in fees. Looney did not perform adequate work to earn such fees, and did not refund the unearned fees.

The foregoing facts support violation of Rules 1.01(b)(1) and 1.15(d) of the Texas Disciplinary Rules of Professional Conduct.

F2019701668

On August 17, 1995, Aumpun Sitthigarana (the "Complainant") retained Looney to file a Chapter 7 bankruptcy. From August 29, 1995, to December 6, 1995, Complainant paid Looney \$668.00. Looney did not file the bankruptcy, and did not communicate with Complainant about the status of the case. By Judgment signed and entered on April 15, 1996 in Cause No. 95-552,297, styled Commission for Lawyer Discipline v. Jack C. Looney, in the 364th Judicial Court of Lubbock County, Texas, Looney was adjudged to have engaged in professional misconduct and

was actively suspended from the practice of law for a period of two (2) years beginning May 1, 1996 and ending May 1, 1998. Looney did not notify Complainant of his suspension and did not refund any unearned fees as ordered in and by the Judgment of Active Suspension.

The foregoing facts support violation of Rules 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 1.15(d), 8.04(a)(1), and 8.04(a)(7) of the Texas Disciplinary Rules of Professional Conduct.

In view of Jack Clinton Looney's execution on or about December 10, 1997, of his resignation in lieu of discipline as an attorney and counselor at law, and in anticipation of the Court's acceptance of same, the Chief Disciplinary Counsel does not anticipate going forward with a disciplinary case.

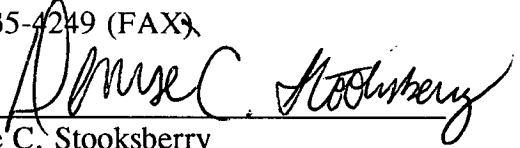
WHEREFORE, the State Bar of Texas moves the Court to accept the resignation in lieu of discipline, and grant the motion filed by Jack Clinton Looney.

Respectfully submitted,

Steve W. Young
General Counsel

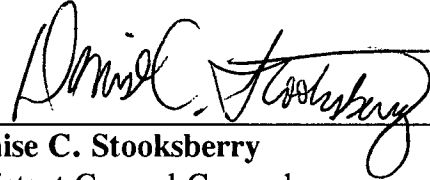
Denise C. Stooksberry
Assistant General Counsel

Office of the General Counsel
STATE BAR OF TEXAS
201 Main Street, Suite 1150
Fort Worth, Texas 76102
817/877-4993
817/335-4249 (FAX)


Denise C. Stooksberry
State Bar Card No. 04607100

CERTIFICATE OF SERVICE

A true and correct copy of this Response of the Chief Disciplinary Counsel of the State Bar of Texas Regarding Jack Clinton Looney has been served upon Jack Clinton Looney, by and through his attorney of record, Paul C. Looney, 11767 Katy Freeway, Suite 740, Houston, Texas 77079, by delivery of a true and correct copy to him by certified mail, return receipt requested, on the 20th day of January, 1998.

A handwritten signature in cursive script, reading "Denise C. Stooksberry", written over a horizontal line.

Denise C. Stooksberry
Assistant General Counsel
State Bar of Texas

IN THE SUPREME COURT OF TEXAS
MOTION FOR ACCEPTANCE OF RESIGNATION AS
ATTORNEY AND COUNSELOR AT LAW

OF

Jack Clinton Looney

NOW COMES your Applicant, Jack Clinton Looney, and hereby resigns as an Attorney and Counselor at Law in the State of Texas; and hereby submits to the Court his resignation as an Attorney and Counselor at Law; and prays that the Court accept said resignation.

gcl ^{Regarding} ~~Attached hereto is~~ the License and permanent State Bar card issued by this Court to the Applicant, Jack Clinton Looney, as an Attorney and Counselor at Law on November 5, 1982, *gcl*

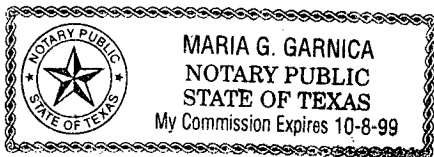
gcl Said License and permanent State Bar card ^{were} ~~are hereby~~ surrendered by the Applicant to the *gcl* clerk of the Texas Supreme Court, in May 1995. *gcl*
Your Applicant is voluntarily resigning and withdrawing from the practice of law;

Applicant does so in lieu of discipline for professional misconduct; and Applicant prays that his name be dropped and deleted from the list of persons licensed to practice law in Texas; and that his resignation be accepted.

Jack Clinton Looney

Jack Clinton Looney
TBC# 12555000

10th SUBSCRIBED AND SWORN to before me by the said Jack Clinton Looney this the day of *December*, 19 *97*.



Maria G. Garnica

NOTARY PUBLIC in and for
the State of Texas

Jack Clinton Looney
1220 Broadway, Suite 1808
Lubbock, TX 79401

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

February 9, 1998

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

Re: Jack Clinton Looney

Dear Mr. Adams:

Pursuant to your request, enclosed please find a revised Order accepting the resignation of Jack C. Looney.

If I can be of further assistance, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Denise C. Stooksberry". The signature is written in a cursive, flowing style.

Denise C. Stooksberry
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas

Enclosures

/am

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

February 6, 1998

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

Re: Jack Clinton Looney

Dear Mr. Adams:

Pursuant to Part X of the Texas Rules of Disciplinary Procedure, please find enclosed herewith the following:


- (1) Original executed Motion for Acceptance of Resignation as Attorney and Counselor at Law for the above referenced attorney;
- (2) Original and two (2) copies of the Response of the Chief Disciplinary Counsel to Motion for Acceptance of Resignation as Attorney and Counselor at Law for the above referenced attorney; and
- (3) Original Order of Resignation for the Court's signature.

Pursuant to Rule 10.02 of the Texas Rules of Disciplinary Procedure, the required ten (10) day time frame has passed and the above-referenced attorney has made no attempt to withdraw the Motion for Acceptance of Resignation. Therefore, the detailed statement of professional misconduct is deemed to have been conclusively established for all purposes.

It is my understanding that the Supreme Court received Mr. Looney's bar card and law license in 1995.

I will appreciate your bringing this to the Court's attention. Please return a fully executed copy of the Order to our office at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise C. Stooksberry". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.

Denise C. Stooksberry
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas

Enclosures

/am