

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 99- 9122

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

The Supreme Court of Texas hereby appoints the Honorable Wayne Bridewell, Judge of the 249th District Court of Johnson County, Texas, to preside in the Disciplinary Action styled:


The Commission for Lawyer Discipline v. Billy Ray Gant

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

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

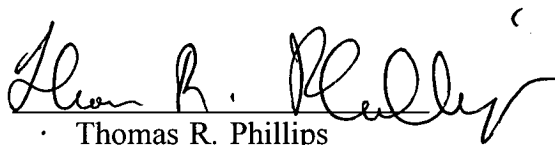
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City
of Austin, this ~~18th~~^{21st} day of June, 1999.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 99-9122, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 21 day of June, 1999.

A handwritten signature in cursive script, appearing to read "Thomas R. Phillips". The signature is written in black ink and is positioned above the printed name and title.

Thomas R. Phillips
Chief Justice

NO. _____

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
V.	§	FANNIN COUNTY, TEXAS
BILLY RAY GANT	§	_____ JUDICIAL DISTRICT

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complaining of Respondent, Billy Ray Gant, (hereinafter called "Respondent"), showing the Court:

I.

Discovery Control Plan

Pursuant to Rules 190.1 and 190.2, TEXAS RULES OF CIVIL PROCEDURE (TRCP), Petitioner intends discovery in this case to be conducted under the Level I Discovery Control Plan. Pursuant to Rule 190.2(a)(1), TRCP, Petitioner affirmatively pleads that it seeks only monetary relief aggregating fifty thousand and no/100 dollars (\$50,000.00) or less, excluding costs, pre-judgment interest and attorney's fees.

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 his principal place of practice in Dallas County, Texas. An officer may serve citation on Respondent through Respondent's attorney, John H. Skotnik, Fannin County Courthouse, Bonham, Texas 75418.

IV.

On or about March 9, 1995, Respondent was employed by Complainant and his daughters to file an appeal of a criminal conviction. Respondent was paid \$2,450.00 and furnished transportation to New Orleans, Louisiana to appear for oral arguments before the 5th Circuit Court of Appeals. Respondent missed his prepaid flight to New Orleans. Despite informing Complainant's daughters that he would reschedule his flight, Respondent missed later flights and failed to appear for oral arguments. Complainant wrote Respondent numerous letters requesting information about the status of his case, but received no response from Respondent. Complainant's daughters also made several unsuccessful attempts to communicate with Respondent.

V.

Respondent was paid to file the necessary paperwork for an automatic sentence reduction and to represent Complainant in retrieving personal property seized by the Red River County Sheriff. Respondent failed to perform any meaningful legal services on behalf of Complainant in these matters.

VI.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs IV and

V, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(b)(1) and 1.03(a) of the Texas Disciplinary Rules of Professional Conduct.

VII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of General Counsel of the State Bar of Texas by Martin Lockaby filing a complaint on or about August 10, 1998.

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.

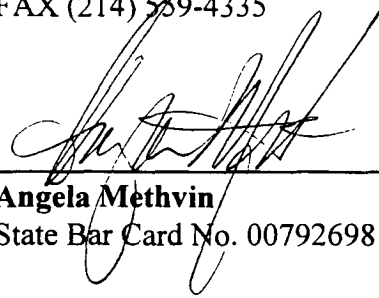
Respectfully submitted,

Steve W. Young
General Counsel

Angela Methvin
Assistant General Counsel

State Bar of Texas
Litigation - Dallas
3710 Rawlins
Suite 800
Dallas, Texas 75219

(214) 559-4997
FAX (214) 559-4335



Angela Methvin
State Bar Card No. 00792698

ATTORNEYS FOR PETITIONER

STATE BAR OF TEXAS



Office of the General Counsel

May 6, 1997

CMRRR NO. Z 359 583 388

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

RE:: Commission for Lawyer Discipline v. Billy Ray Gant

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 Billy Ray Gant. Mr. Gant has designated Fannin County, Texas, 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:

Billy Ray Gant
By and through his attorney of record, John H. Skotnik
P.O. Box 727
Bonham, Texas 75418

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

Regency Plaza, 3710 Rawlins, Suite 800, Dallas, Texas 75219
Telephone: (214) 559-4353 Fax: (214) 559-4335

John T. Adams, Clerk

November 26, 1997

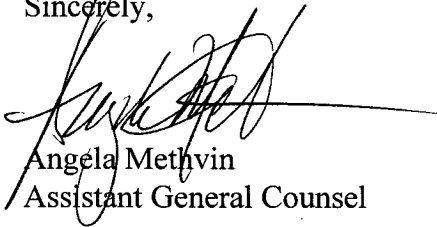
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to the District Clerk of Fannin County, Texas, with the request that the suit be filed, service be obtained, and a file-marked copy of the petition be returned to the undersigned.

Also enclosed are a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Fannin County, Texas, and a return envelope to be sent to the District Clerk of Fannin County, Texas, for the Clerk's use in returning a file-marked copy of the Petition to the undersigned.

Thank you for your courtesies in this matter.

Sincerely,



Angela Methvin
Assistant General Counsel

Enclosures



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

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON
HARRIET O'NEILL
ALBERTO R. GONZALES

JUN 24 1999

CLERK
JOHN T. ADAMS

EXECUTIVE ASS'T
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T
JIM HUTCHESON

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

The Honorable Rochelle Turner
District Clerk of Fannin County
101 E. Sam Rayburn Drive
Bonham, Texas 75418

Dear Ms. Turner:

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. Billy Ray Gant and a copy of the Supreme Court's order appointing the Honorable Wayne Bridewell, Judge of the 249th District Court, Cleburne, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Hon. Wayne Bridewell
Ms. Rochelle Turner
Ms. Angela Methvin
Mr. Billy Ray Gant



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

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JIM HUTCHESON

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

Mr. Angela Methvin
Assistant General Counsel, State Bar of Texas
3710 Rawlins, Suite 800
Dallas, Texas 75219

Mr. Billy Ray Gant
c/o John H. Skotnik
P.O. Box 727
Bonham, Texas 75418

Dear Ms. Methvin and Mr. Gant:

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 Wayne Bridewell, Judge of the 249th District Court, Cleburne, Texas to preside in

Commission for Lawyer Discipline v. Billy Ray Gant

Sincerely,

SIGNED

John T. Adams
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711
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NADINE SCHNEIDER

JUN 24 1999

Honorable Wayne Bridewell
Judge, 249th District Court
2 N. Main Street
Cleburne, Texas 76031

Dear Judge Bridewell:

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 Mr. Gant and Ms. Methvin, and a copy of the letter to the District Clerk of Fannin County.

We then recommend that, four or five weeks after receipt of this letter, you or your coordinator contact the presiding judge or the District Clerk of Fannin County to find out the district court to which this disciplinary case has been assigned. We then recommend that, either before or immediately after you set the case for trial, the judge or coordinator of that court 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 claims forms for your expenses and other information incident to presiding over this disciplinary case.

Sincerely,

SIGNED

John T. Adams
Clerk