

# **ORDER OF THE SUPREME COURT OF TEXAS**

MISC. DOCKET NO. 18-9086

## **IN THE MATTER OF DONALD G. HENSLEE**

The Court has reviewed the Motion for Acceptance of Resignation as Attorney and Counselor at Law in Lieu of Disciplinary Action of Donald G. Henslee (the Motion) and the Response of the Office of the Chief Disciplinary Counsel for the Commission for Lawyer Discipline (the Response). The Court concludes each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. The Court finds that Donald G. Henslee has waived his right to withdraw the Motion. Therefore, the Court deems the professional misconduct detailed in the Response conclusively established for all purposes. The Court further concludes that Donald G. Henslee's resignation is in the best interest of the public, the profession and Donald G. Henslee.

Therefore, the law license of Donald G. Henslee of Austin, Texas, State Bar Card Number 09488500 is canceled. Donald G. Henslee must immediately surrender his State Bar Card and Texas law license to the Clerk of the Supreme Court of Texas or file with the Court an affidavit stating why he cannot.

Donald G. Henslee is prohibited from practicing law in the State of Texas. He is prohibited from holding himself out as an attorney at law, performing 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."

Additionally, Donald G. Henslee must immediately notify in writing each of his current clients and opposing counsel of his resignation. He must also return any files, papers, unearned monies and other property in his possession belonging to any client or former client to the respective client or former client or to another attorney at the client's or former client's request. Donald G. Henslee must file with the Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, within thirty days of the date of this Order an affidavit stating that all current clients and opposing counsel have been notified of his resignation and that all files, papers, monies and other property belonging to all clients and former clients have been returned.

Finally, Donald G. Henslee must, within thirty days after the date of this Order, notify in writing each justice of the peace, judge, magistrate, and chief justice of each court in which Donald G. Henslee has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Donald G. Henslee is representing in court. Donald G. Henslee must file with the Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, within thirty days of the date of this Order an affidavit stating that he has notified in writing each justice of the peace, judge, magistrate, and chief justice of each court in which he has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) he is representing in Court.

### **CONDITIONS FOR REINSTATEMENT**

As absolute conditions precedent for the reinstatement of Donald G. Henslee, he must pay the following: (1) restitution to John J. Hacskaylo in the amount of \$3,000; (2) restitution to Carie Louise Kapellusch in the amount of \$2,237.25; (3) restitution to Adrian Davis in the amount of

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\$5,000; (4) restitution to Ross Karbasi in the amount of \$3,000; (5) restitution to Henderson McKelvy Jones in the amount of \$3,250; (6) restitution to Aretha Goldsmith in the amount of \$2,000; (7) restitution to Yvonne B. Sanders in the amount of \$3,600; (8) restitution to Jonathan Lucas in the amount of \$5,000; and (9) \$20,405.85 attorneys' fees and expenses to the State Bar of Texas. The attorneys' fees and expenses payable to the State Bar of Texas are reimbursement for fees and expenses incurred by Commission for Lawyer Discipline in the matters made the basis of Donald G. Henslee's resignation.

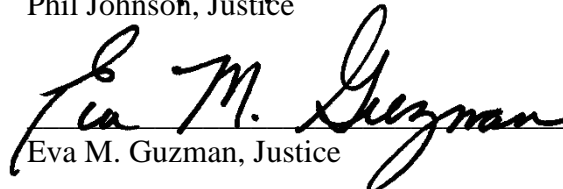
All payments of restitution must be made by certified or cashier's check or money order and must be delivered to the Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711-2487 (1414 Colorado Street, Austin, Texas 78701).

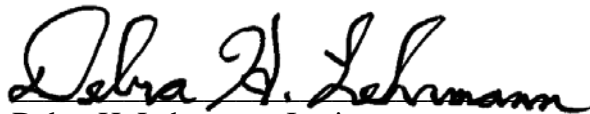
SO ORDERED this 6th day of July, 2018.

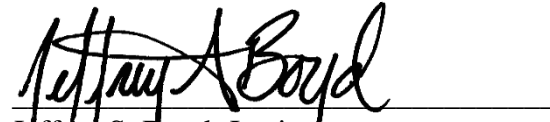
  
Nathan L. Hecht, Chief Justice

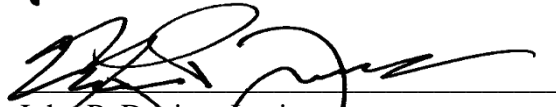
  
Paul W. Green, Justice

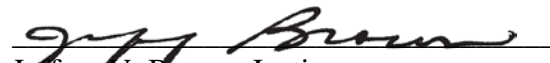
  
Phil Johnson, Justice

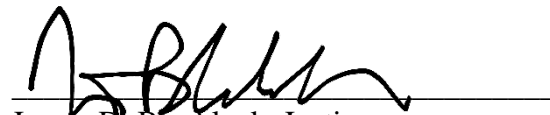
  
Eva M. Guzman, Justice

  
Debra H. Lehrmann, Justice

  
Jeffrey S. Boyd, Justice

  
John P. Devine, Justice

  
Jeffrey V. Brown, Justice

  
James D. Blacklock, Justice