

BEFORE THE DISTRICT 17 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 17-1
STATE BAR OF TEXAS

COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner

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V.

201707542 [Hayes]
201800725 [Childress]

JOHN MICHAEL GROVES,
Respondent

AGREED JUDGMENT OF PUBLIC REPRIMAND

Parties and Appearance

On this day came to be heard the above styled and numbered cause. Petitioner and Respondent, JOHN MICHAEL GROVES, Texas Bar Number 24092460, announce that an agreement has been reached on all matters including the imposition of a Public Reprimand.

Jurisdiction and Venue

The Evidentiary Panel 17-1, having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 17, finds that it has jurisdiction over the parties and the subject matter of this action, and that venue is proper.

Professional Misconduct

The Evidentiary Panel, having considered the pleadings, admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(W) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Evidentiary Panel finds:



1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains his principal place of practice in El Paso County, Texas.
3. In representing Antonio L. Hayes and Jonathan Childress, Complainants, Respondent neglected the matters entrusted to him.
4. Respondent failed to keep Messrs. Hayes and Childress reasonably informed about the status of their matters.
5. Respondent failed to respond to Messrs. Hayes and Childress' grievances as required by the Texas Rules of Disciplinary Procedure
6. Upon termination of the representation by Mr. Childress, Respondent failed to refund funds that had not been earned.
7. Respondent failed to properly safeguard Mr. Childress' prepayment of attorney's fees and expense funds in a trust account.
8. Respondent failed to promptly deliver funds that Mr. Childress was entitled to receive to Mr. Childress.
9. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of \$800.00.
10. Respondent owes restitution in the amount of \$500.00 payable to Antonio L. Hayes.
11. Respondent owes restitution in the amount of \$606.00 payable to Jonathan Childress.

Conclusions of Law

Petitioner and Respondent agree that, based on the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated. Accordingly, the Evidentiary Panel concludes that the following Texas Disciplinary Rules of

Professional Conduct have been violated: 1.01(b)(1), 1.03(a), 8.04(a)(8), 1.14(a), 1.14(b) and 1.15(d).

Sanction

It is AGREED and ORDERED that a Public Reprimand shall be imposed against Respondent in accordance with the Texas Rules of Disciplinary Procedure.

Restitution, Attorney's Fees and Expenses

It is further AGREED and ORDERED Respondent shall pay restitution to Antonio L. Hayes in the amount of \$500.00. The restitution payment shall be made by certified or cashier's check or money order and made payable to Antonio L. Hayes. The payment shall be submitted to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) on or before the date this judgment is presented to the Panel for execution.

It is further AGREED and ORDERED Respondent shall pay restitution to Jonathan Childress in the amount of \$606.00. The restitution payment shall be made by certified or cashier's check or money order and made payable to Jonathan Childress. The payment shall be submitted to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) on or before the date this judgment is presented to the Panel for execution.

It is further AGREED and ORDERED Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of \$800.00. The payment of attorney's fees and direct expenses shall be made by certified or cashier's check or money order and made payable to the State Bar of Texas. The payment shall be submitted to the State Bar of Texas, Chief Disciplinary Counsel's Office,

P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) on or before the date this judgment is presented to the Evidentiary Panel for execution.

It is further AGREED and ORDERED that all amounts ordered herein are due to the misconduct of Respondent, and are assessed as a part of the sanction in accordance with Rule 1.06(Z) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

Publication

This reprimand shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief


All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 19th day of March, 2019.

EVIDENTIARY PANEL 17-1
DISTRICT NO. 17
STATE BAR OF TEXAS


SAMUEL E. SPROWLES
District 17-1 Presiding Member

AGREED AS TO BOTH FORM AND SUBSTANCE:


JOHN MICHAEL GROVES
State Bar No. 24092460
Respondent

MARIE A. HASPIL
State Bar No. 24007329
Counsel for Petitioner