



State Bar of Texas.

2. Respondent resides in and maintains his principal place of practice in Fayette County, Texas.
3. Respondent willfully, in connection to an adjudicatory proceeding, manifested bias or prejudice based on race.

#### **Conclusions of Law**

Petitioner and Respondent agree that, based on the foregoing findings of fact, the following Texas Disciplinary Rule of Professional Conduct has been violated. Accordingly, the Evidentiary Panel concludes that the following Texas Disciplinary Rule of Professional Conduct has been violated: Rule 5.08(a).

#### **Sanction**

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

Accordingly, it is ORDERED, ADJUDGED, and DECREED that Respondent be suspended from the practice of law for a period of one (1) year, with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on September 1, 2021 and shall end on August 31, 2022.

#### **Terms of Probation**

It is further ORDERED that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of current

mailing, residence and business addresses, email address and telephone numbers.

5. Respondent shall comply with Minimum Continuing Legal Education requirements.
6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
8. No later than September 30, 2021, Respondent shall schedule a full psychological assessment to be conducted by a mental health professional licensed in Texas as a psychiatrist, a psychologist, a master's level social worker (LCSW), or a licensed professional counselor (LPC).
9. Respondent shall make contact with the Office of the Chief Disciplinary Counsel's Compliance Monitor at 877-953-5535, ext. 1334 and Special Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

#### **Probation Revocation**

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.22 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further ORDERED that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline

as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

**Rehabilitative Terms of Suspension**

It is ORDERED that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall make contact with the Office of the Chief Disciplinary Counsel's Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512- 427-1343, ext. 1323, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.
2. No later than September 30, 2021, Respondent shall schedule a full psychological assessment to be conducted by a mental health professional licensed in Texas as a psychiatrist, a psychologist, a master's level social worker (LCSW), or a licensed professional counselor (LPC). Respondent shall complete the assessment at the earliest practicable date, but in no event later than ninety (90) days after September 30, 2021.
3. Although the details of information disclosed during the assessment shall remain confidential, the conclusions, diagnosis and treatment plan recommendations of the mental health professional shall be reported to the State Bar of Texas within ten (10) days of the completion of the assessment. Respondent shall take all necessary action, including the execution of a valid release of information, to allow and direct the mental health professional to report such results and recommendations.
4. If recommended as part of the above assessment, Respondent shall remain under the care of one or more mental health professionals at the frequency recommended by the treatment plan for the duration of the supervision period or until released in writing by the treatment provider. Each treating mental health professional shall provide written quarterly reports to the State Bar of Texas verifying Respondent's attendance at the sessions and good faith participation in the treatment plan. The initial report(s) shall be due ninety (90) days after completion of the assessment, with subsequent reports due quarterly thereafter. Respondent shall take all necessary action, including the execution of a valid release of information, to permit any treating mental health professional to provide written or oral reports for the duration of the supervision period.
5. Respondent shall be responsible for all costs and expenses incurred, directly or indirectly, by compliance with these terms and shall pay all such costs

and expenses as required by the provider, but in no event later than the final day of the supervision period.

6. Any and all reports and evaluations required by these terms of probation shall be sent to the State Bar of Texas, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Suite 200, Austin, TX 78701).

**Publication**


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

**Other Relief**

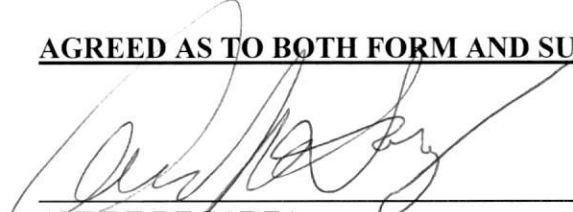
All requested relief not expressly granted herein is expressly DENIED.


SIGNED this 24th day of August, 2021.

**EVIDENTIARY PANEL 5-1  
DISTRICT NO. 5  
STATE BAR OF TEXAS**

  
\_\_\_\_\_  
**LARRY P. MCDUGAL, JR.  
Panel 5-1 Presiding Member**

**AGREED AS TO BOTH FORM AND SUBSTANCE:**

  
\_\_\_\_\_  
**ANDRE DEGARZA  
State Bar No. 24059332  
Respondent**

  
\_\_\_\_\_  
**E. WILLIAM NICHOLS II  
State Bar No. 24077666  
Assistant Disciplinary Counsel**

**From:** [Maribelle Hernandez](#)  
**To:** [Larry McDougal Jr.](#)  
**Subject:** RE: Proposed judgment for signature  
**Date:** Tuesday, August 24, 2021 2:37:00 PM

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Will do. Thank you!

Maribelle

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**From:** Larry McDougal Jr. <lpm@larrymcdougal.com>  
**Sent:** Tuesday, August 24, 2021 1:23 PM  
**To:** Maribelle Hernandez <Maribelle.Hernandez@Texasbar.com>  
**Subject:** Re: Proposed judgment for signature

If you could do it, that would be preferred.

**Larry P. McDougal, Jr.**  
**Law Office of Larry McDougal**  
**Attorney**

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On Aug 24, 2021, at 12:58 PM, Maribelle Hernandez  
<[Maribelle.Hernandez@Texasbar.com](mailto:Maribelle.Hernandez@Texasbar.com)> wrote:

Mr. McDougal,

Thank you for returning the judgment. The date was not filled in. Would you mind if I add today's date in or would you prefer to do it?

## Maribelle Hernandez

Legal Assistant to E. William Nichols II

<image001.png>

State Bar of Texas

*Office of the Chief Disciplinary Counsel*

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**From:** Larry McDougal Jr <[lpm@larrymcdougal.com](mailto:lpm@larrymcdougal.com)>

**Sent:** Tuesday, August 24, 2021 12:09 PM

**To:** Maribelle Hernandez <[Maribelle.Hernandez@Texasbar.com](mailto:Maribelle.Hernandez@Texasbar.com)>

**Subject:** Fwd: Proposed judgment for signature

Here you go!

Sent from my iPhone

Begin forwarded message:

**From:** Marissa <[marissa@larrymcdougal.com](mailto:marissa@larrymcdougal.com)>

**Date:** August 24, 2021 at 11:41:51 AM CDT

**To:** "Larry McDougal Jr." <[lpm@larrymcdougal.com](mailto:lpm@larrymcdougal.com)>

**Subject: Re: Proposed judgment for signature**

On Aug 24, 2021, at 11:39 AM, Larry McDougal Jr.  
<[lpm@larrymcdougal.com](mailto:lpm@larrymcdougal.com)> wrote:

<Proposed Agreed Judgment of Probated Suspension.pdf>

**Marissa R. Fuentes, Paralegal**

Law Office of Larry McDougal

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