



**BEFORE THE DISTRICT 4 GRIEVANCE COMMITTEE  
EVIDENTIARY PANEL 4-1  
STATE BAR OF TEXAS**

**COMMISSION FOR LAWYER  
DISCIPLINE,  
Petitioner**

**V.**

**JOSEPH V. KELLY,  
Respondent**

§ 202105758 [DAMIEN C. MORRIS]  
§  
§  
§  
§  
§ HARRIS COUNTY, TEXAS  
§  
§

**AGREED JUDGMENT OF PUBLIC REPRIMAND**

**Parties and Appearance**

Petitioner and Respondent, Joseph V. Kelly, Texas Bar Number 24090203, announce that an agreement has been reached on all matters including the imposition of a Public Reprimand.

**Jurisdiction and Venue**

The Evidentiary Panel 4-1 having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 4, 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(CC) 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 Harris County, Texas.
  3. Respondent neglected the legal matter entrusted to him.
  4. Respondent failed to keep Morris reasonably informed about the status of his legal matter and promptly comply with reasonable requests for information.
  5. Respondent upon termination of representation failed to refund advance payments of fee that had not been earned.
  6. Respondent failed to timely file a response to the grievance filed by Morris without asserting a privilege or other legal ground for his failure to do so.
  7. 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 \$1,550.00.
  8. Respondent owes restitution in the amount of \$2,000.00 payable to Damien C. Morris.

### **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), 1.15(d), and 8.04(a)(8).

### **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 Damien C. Morris in the amount of \$2,000.00. The restitution payment shall be made by certified or cashier's check or money order and made payable to Damien C. Morris. 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 June 12, 2023.

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 \$1,550.00. 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 June 30, 2023.

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(FF) 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.

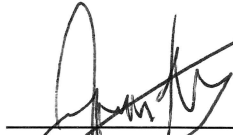
SIGNED this 14th day of June, 2023.

**EVIDENTIARY PANEL  
DISTRICT NO. 4  
STATE BAR OF TEXAS**

*Marcos A. Adroque*

Marcos A. Adroque  
District 4-1 Presiding Member

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



Joseph V. Kelly  
State Bar No. 24090203  
**Respondent**



Khadija T. Roberts  
State Bar No. 24069579  
**Counsel for Petitioner**