

**ORDER OF THE SUPREME COURT OF TEXAS**

**9008**

Misc. Docket No. 01-----

Appointment of a District Judge to Rule on a Motion  
to Recuse filed in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable John P. Devine, Judge of the  
190th District Court of Harris County, Texas, to preside in the Disciplinary Action styled:


**The Commission for Lawyer Discipline v. Godson Anyanwu**

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

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

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

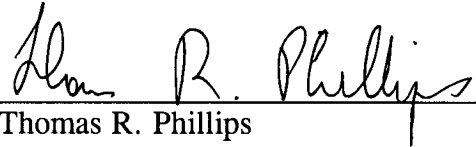
With the Seal thereof affixed at the City  
Of Austin, this 5<sup>th</sup> day of January, 2001.



JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 01-9008, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 8 day of January, 2001.

  
\_\_\_\_\_  
Thomas R. Phillips  
Chief Justice

NO. \_\_\_\_\_

COMMISSION FOR LAWYER DISCIPLINE § IN THE DISTRICT COURT OF  
V. §  
§ DALLAS COUNTY, TEXAS  
§  
GODSON ANYANWU § \_\_\_\_\_ JUDICIAL DISTRICT

**DISCIPLINARY PETITION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complains of Respondent, Godson Anyanwu, (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 II Discovery Control Plan.

**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 at 835 N. Twin Towers, 8585 N. Stemmons Freeway, Dallas, Texas 75247.

#### IV.

On or about July 25, 1995, Gloria Hurst ("Hurst") hired Respondent to represent her in a personal injury matter based on an accident which occurred on July 11, 1995. Hurst signed a contingent fee contract with Respondent's firm on July 26, 1995. The contract specifically stated that Hurst was hiring the firm to represent her. The contract also specifically provided that Respondent's firm would advance expenses on behalf of Hurst and would recover advances from any recovery. Respondent's firm subsequently dissolved, but Respondent continued to represent Hurst after the dissolution.

#### V.

During the course of the representation, Respondent had neither oral nor written contact with Hurst. Respondent filed suit on behalf of Hurst on July 10, 1997, a day before the statute of limitations expired. Respondent thereafter failed to secure service of citation upon the defendant. The Respondent was not served until November 1998, after new counsel for Hurst assumed control of the case. Based upon Respondent's lack of due diligence in securing service of process, the matter was dismissed on or about April 4, 1999.

#### VI.

During the period of representation, Respondent failed to keep Hurst reasonably informed of the status of her case and failed to explain matters so that Hurst could make informed decisions regarding the representation. Further, Respondent made material misrepresentations of fact to Hurst

in May 1999, by informing her that his firm had no responsibility for her case, that his firm did not have possession of her file at the time the suit was filed, and that a former associate had taken the case with her when she departed the firm.

#### VII.

Respondent made false statements of material fact to Investigatory Panel 3 of the 1A Grievance Committee at hearings on August 27, 1999, and April 20, 2000, by stating that his former associate was responsible for the failure to pursue Hurst's personal injury matter and by statements pertaining to his representation of Hurst that contradicted the terms of his firm's written contract with Hurst.

#### VIII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs IV, V, VI, and VII, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.01(b)(1), 1.03(a),(b), 3.03(a)(1), 8.01(a)(1) and 8.04(a)(3) of the Texas Disciplinary Rules of Professional Conduct.

#### IX.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of Chief Disciplinary Counsel of the State Bar of Texas by Gloria Hurst filing a complaint on or about July 2, 1999.

**PRAYER**

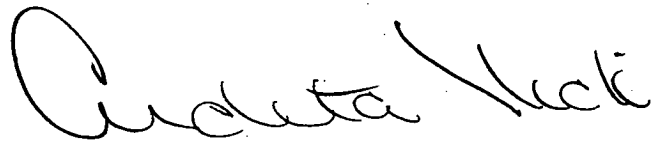
**WHEREFORE, PREMISES CONSIDERED,** Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

Respectfully submitted,

**Dawn Miller**  
Chief Disciplinary Counsel

**Ardita Vick**  
Assistant Disciplinary Counsel

State Bar of Texas  
Litigation - Dallas  
3710 Rawlins  
Suite 800  
Dallas, Texas 75219  
(214) 559-4353  
FAX (214) 559-4335



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**Ardita Vick**  
State Bar Card No. 00786311

**ATTORNEYS FOR PETITIONER**

# STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

November 6, 2000

**CMRRR NO. 7099 3220 0005 9143 5027**

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

***RE: Commission for Lawyer Discipline v. Godson Anyanwu***

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 Godson Anyanwu. Mr. Anyanwu has designated Dallas 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:

**Godson Anyanwu  
835 N. Twin Towers  
8585 N. Stemmons Freeway  
Dallas, Texas 75247**

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. If not, I would respectfully request that an alternate appointment be made.

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

John T. Adams, Clerk


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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 to the District Clerk of Dallas 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 Dallas County, Texas, and a return envelope to be sent to the District Clerk of Dallas 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,

A handwritten signature in black ink that reads "Ardita Vick". The signature is written in a cursive style with a large initial "A".

Ardita Vick  
Assistant Disciplinary Counsel

Enclosures





# The Supreme Court of Texas

CHIEF JUSTICE  
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711  
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK  
JOHN T. ADAMS

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

JAN 12 2001

EXECUTIVE ASSISTANT  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST  
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

Ms. Ardita Vick  
Assistant General Counsel, State Bar of Texas  
3710 Rawlins, Suite 800  
Dallas, Texas 75219

Mr. Godwon Anyanwu  
835 N. Twin Towers  
8585 N. Stemmons Freeway  
Dallas, Texas 75247

Dear Ms. Vick and Mr. Anyanwu:

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 John P. Devine, Judge of the 190<sup>th</sup> District Court, Houston, Texas to preside in

*Commission for Lawyer Discipline v. Godson Anyanwu*

Sincerely,

**SIGNED**

John T. Adams  
Clerk



# The Supreme Court of Texas

CHIEF JUSTICE  
THOMAS R. PHILLIPS

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JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

Honorable John P. Devine  
Judge, 190<sup>th</sup> District Court  
6<sup>th</sup> Floor, Civil Courts Building  
301 Fannin Street  
Houston, Texas 77002

Dear Judge Devine:

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. Anyanwu and Ms. Vick, and a copy of the letter to the District Clerk of Dallas County.

We then recommend that, either before or immediately after you set the case for trial, the Dallas County District Court Administrative Office (214-653-6510) 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 information on lodging, allowable expenses, and claims forms for your expenses incident to presiding over this disciplinary case.

Sincerely,

**SIGNED**

John T. Adams  
Clerk



# The Supreme Court of Texas

CHIEF JUSTICE  
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711  
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK  
JOHN T. ADAMS

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

JAN 12 2007

EXECUTIVE ASSISTANT  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST  
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

The Honorable Jim Hamlin  
District Clerk of Dallas County  
George L. Allen Courts Building  
600 Commerce Street  
Dallas, Texas 75202

Dear Mr. Hamlin:

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. Godson Anyanwu*, and a copy of the Supreme Court's order appointing the Honorable John P. Devine, Judge of the 190<sup>th</sup> District Court of Houston, Texas, to preside in this Disciplinary Action.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

cc: Honorable John P. Devine  
Ms. Ardita Vick  
Mr. Godson Anyanwu