

ORDER OF THE SUPREME COURT OF TEXAS

MISC. DOCKET NO. 02 - 9048

IN THE MATTER OF MAURICE ONYEWUCHI EZURUIKE

The Court has reviewed the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Maurice Onyewuchi Ezuruike and the Response of the Chief Disciplinary Counsel for the Commission for Lawyer Discipline. The Court concludes each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. In the absence of a request by Maurice Onyewuchi Ezuruike to withdraw his motion, the Court deems the professional misconduct detailed in the Response of Chief Disciplinary Counsel conclusively established for all purposes. The Court further concludes that acceptance of Maurice Onyewuchi Ezuruike's resignation is in the best interest of the public and the profession.

Therefore, the law license of Maurice Onyewuchi Ezuruike of Austin, Texas, State Bar Card Number 00789284 is canceled. Maurice Onyewuchi Ezuruike 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.

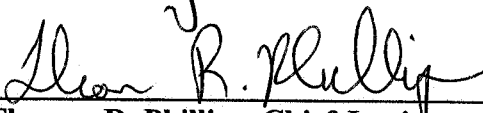
Consequently, Maurice Onyewuchi Ezuruike is prohibited from practicing law in the State of Texas. This includes holding himself out as an attorney at law, performing legal services for others, giving legal advice to others, accepting any fee directly or indirectly for legal services, appearing as counsel 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 "Attorney at Law," "Counselor at Law," or "Lawyer."

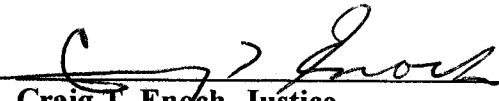
Additionally, Maurice Onyewuchi Ezuruike must immediately notify in writing each of his current clients of his resignation. He shall also return any files, papers, unearned monies and other property in his possession belonging to any client or former client to the respective client or former client or to another attorney at the client's or former client's request. Maurice Onyewuchi Ezuruike shall file with the State Bar of Texas, Office of the Chief Disciplinary Counsel, Post Office Box 12487, Austin, Texas 78711-2487, within thirty (30) days of the date of this Order an affidavit stating that all current clients 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, Maurice Onyewuchi Ezuruike shall, within thirty (30) 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 Maurice Onyewuchi Ezuruike 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) Maurice Onyewuchi Ezuruike is representing in court. Maurice Onyewuchi Ezuruike shall file with the State Bar of Texas, Office of the Chief Disciplinary Counsel, Post Office Box, 12487, Austin, Texas 78711-2487, within thirty (30) 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.

IT IS ORDERED the 25th day of February, 2002.

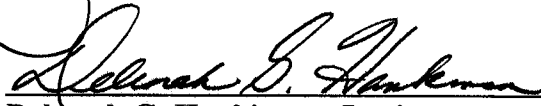

Thomas R. Phillips, Chief Justice

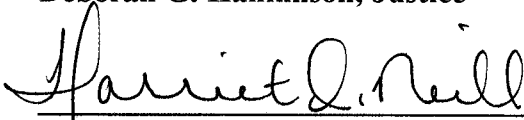

Nathan L. Hecht, Justice



Craig T. Enoch, Justice



Priscilla R. Owen, Justice


James A. Baker, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Wallace B. Jefferson, Justice


Xavier Rodriguez, Justice

IN THE SUPREME COURT OF TEXAS

**RESPONSE OF THE CHIEF DISCIPLINARY COUNSEL OF
THE STATE BAR OF TEXAS
TO MOTION FOR RESIGNATION IN LIEU OF DISCIPLINE
OF MAURICE ONYEWUCHI EZURUIKE**

TO THE HONORABLE SUPREME COURT OF TEXAS:

COMES NOW, Dawn Miller, Chief Disciplinary Counsel for the State Bar of Texas, and in accordance with Part X of the Texas Rules of Disciplinary Procedure, would show unto the Court as follows:

I. RESIGNATION OF MOVANT

Movant, Maurice Onyewuchi Ezuruike, State Bar No. 00789284, has filed his Motion for Acceptance of Resignation as Attorney and Counselor at Law, signed on December 20, 2001, and received by the Office of the Chief Disciplinary Counsel on January 31, 2002. Such Motion for Acceptance of Resignation is in lieu of discipline for professional misconduct.

**II. ACCEPTANCE OF RESIGNATION IS IN THE
BEST INTERESTS OF THE PUBLIC AND THE PROFESSION**

Dawn Miller, Chief Disciplinary Counsel, on behalf of the Commission for Lawyer Discipline, responds that the acceptance of Movant's Motion for Acceptance of Resignation is in the best interests of the public and the profession.

III. DISCIPLINARY CHARGES

The professional misconduct with which Movant is charged is as follows:

The Morua Complaint -- A0080107928. In his representation of Ms. Morua in a personal injury matter, Movant: (i) failed to abide by his client's decisions on whether to accept an offer of settlement of a matter; (ii) failed to keep his client reasonably informed about the status of the matter; (iii) failed to explain the matter to the extent reasonably necessary to permit his client to make informed decisions regarding his representation; (iv) failed to hold funds belonging in whole or in part to his client that were in his possession in connection with his representation separate from his own property; (v) failed to promptly notify his client upon receiving funds in which both he and his client claimed an interest, and while in the course of representation was in possession of funds in which both he and his client claimed interests, but failed to keep these funds separate until there was an accounting and severance of these interests. Movant also committed a serious crime or other criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer in other respects, and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

Movant violated Rules 1.02(a)(2), 1.03(a) and (b), 1.14(a), (b), and (c), 8.04(a)(1), (a)(2), and (a)(3), of the Texas Disciplinary Rules of Professional Conduct.

IV.

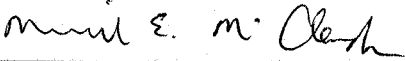
WHEREFORE, the Chief Disciplinary Counsel for the State Bar of Texas moves the Court to accept the resignation in lieu of discipline and grant the Motion filed by Movant.

Respectfully submitted,

Dawn Miller
Chief Disciplinary Counsel

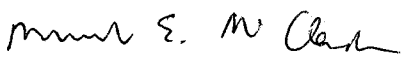
Michael E. McClendon
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
STATE BAR OF TEXAS
P.O. Box 12487, Capitol Station
Austin, Texas 78711-2487
Telephone: (512) 463-1463
Facsimile: (512) 477-4607

By: 
Michael E. McClendon
State Bar Card No. 13408700

CERTIFICATE OF SERVICE

This is to certify that the above and foregoing Response to Motion for Resignation in Lieu Of Discipline of Maurice Onyewuchi Ezurike has been served on Movant's counsel, E. G. (Gerry) Morris, Morris & Florey, L.L.P., 704 West 9th Street, Austin, Texas, 78701, by certified mail on the 31st day of January, 2002.


Michael E. McClendon

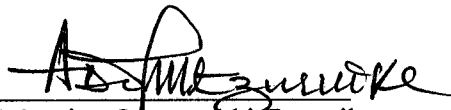
IN THE SUPREME COURT OF TEXAS
MOTION FOR ACCEPTANCE OF RESIGNATION AS
ATTORNEY AND COUNSELOR AT LAW
OF

Maurice Onyewuchi Ezuruike

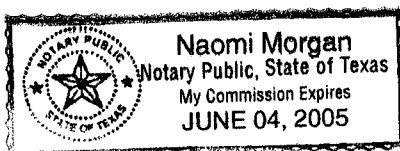
NOW COMES your Applicant, Maurice Onyewuchi Ezuruike, and hereby resigns as an Attorney and Counselor at Law in the State of Texas; and hereby submits to the Court his resignation as an Attorney and Counselor at Law; and prays that the Court accept said resignation.

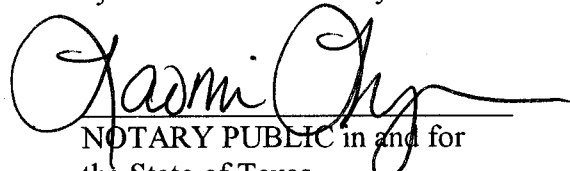
Attached hereto is the License and permanent State Bar card issued by this Court to the Applicant, Maurice Onyewuchi Ezuruike, as an Attorney and Counselor at Law on May 6, 1994. Said License and permanent State Bar card are hereby surrendered by the Applicant.

Your applicant is voluntarily resigning and withdrawing from the practice of law; Applicant does so in lieu of discipline for professional misconduct; and Applicant prays that his name be dropped and deleted from the list of persons licensed to practice law in Texas; and that his resignation be accepted.


Maurice Onyewuchi Ezuruike
State Bar No. 00789284

SUBSCRIBED AND SWORN to before me by the said Maurice Onyewuchi Ezuruike this
the 20th day of December, 2001.




NOTARY PUBLIC in and for
the State of Texas

Maurice Onyewuchi Ezuruike
Attorney At Law
106 East Sixth Street, Suite 900
Austin, Texas 78701

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

February 20, 2002

John Adams, Clerk
Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711
Via CMRRR 7001 0320 0003 8711 7260

Re: Maurice Onyewuchi Ezuruike

Dear Mr. Adams:

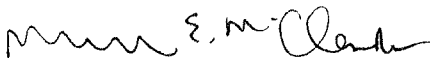
Pursuant to Part X of the Texas Rules of Disciplinary Procedure, please find enclosed herewith the following:

- (1) Original executed Motion for Acceptance of Resignation as Attorney and Counselor at Law for the above referenced attorney;
- (2) Original and two (2) copies of the Response of the Chief Disciplinary Counsel to Motion for Acceptance of Resignation as Attorney and Counselor at Law for the above referenced attorney;
- (3) Permanent State Bar Card and law license (or affidavit stating whereabouts of either item) for the above referenced attorney; and,
- (4) Original Order of Resignation for the Court's signature.

Pursuant to Rule 10.02 of the Texas Rules of Disciplinary Procedure, the required ten (10) day timeframe has passed and the above-referenced attorney has made no attempt to withdraw the Motion for Acceptance of Resignation. Therefore, the detailed statement of professional misconduct is deemed to have been conclusively established for all purposes.

I will appreciate your bringing this to the Court's attention. Please return a fully executed copy of the Order to our office at your earliest convenience.

Sincerely,



Michael E. McClendon
Assistant Disciplinary Counsel

Enclosure

P. O. Box 12487, Capitol Station, Austin, Texas 78711-2487, (512) 453-5535, (512) 453-6667 (FAX)