

**CORRECTED ORDER OF THE SUPREME COURT OF TEXAS**

**MISC. DOCKET NO. 04-9150**

**IN THE MATTER OF JIMMIE PHAGAN**

This court's order of July 14, 2004, is withdrawn and the following order is issued in its place to correct a typographical error. On this day, the Court considered the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Jimmie Phagan, together with the Response of the Chief Disciplinary Counsel to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Jimmie Phagan. The Court has reviewed said Motion and Response and finds that each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. In conformity with Part X, Section 10.02 of the Texas Rules of Disciplinary Procedure, the Court considers the detailed statement of professional misconduct contained within the Response of Chief Disciplinary Counsel to be deemed conclusively established for all purposes. The Court finds that Jimmie Phagan is resigning in lieu of discipline. The Court, being advised that the acceptance of the resignation is in the best interest of the public and the profession, hereby concludes that the following Order is appropriate.

**IT IS ORDERED** that the law license of Jimmie Phagan of Dallas, Texas, State Bar card number 15893000, which was previously issued by this Court, be canceled and his name be dropped and deleted from the list of persons licensed to practice law in Texas.

**IT IS FURTHER ORDERED** that Jimmie Phagan 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 the cause of his inability to do so.

**IT IS FURTHER ORDERED** that Jimmie Phagan is permanently enjoined and prohibited from practicing law in the State of Texas, holding himself out as an attorney at law, performing legal

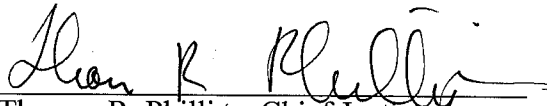
services for others, giving legal advice to others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body (whether state, county, municipal, or other), or holding himself out to others or using his name in any manner in conjunction with the words "Attorney at Law", "Counselor at Law", or "Lawyer".


It is further **ORDERED** that Jimmie Phagan shall immediately notify each of his current clients in writing of this resignation. In addition to such notification, Jimmie Phagan is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients in his possession to the respective clients or to another attorney at the client's request. Jimmie Phagan is **ORDERED** to file with the State Bar of Texas, 3710 Rawlins Street, Suite 800, Dallas, Texas 75219, within thirty (30) days of the date of the effective 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 have been returned as ordered herein.


It is further **ORDERED** that Jimmie Phagan shall, within thirty (30) days after the date on which this Order is signed by the Court, notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Jimmie Phagan has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name(s), address(es) and telephone number(s) of the client(s) Jimmie Phagan is representing in Court. Jimmie Phagan is **ORDERED** to file with the State Bar of Texas, 3710 Rawlins Street, Suite 800, Dallas, Texas 75219, within thirty (30) days of the date of the effective date of this Order an affidavit stating that he has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every 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(s), address(es) and telephone number(s) of the

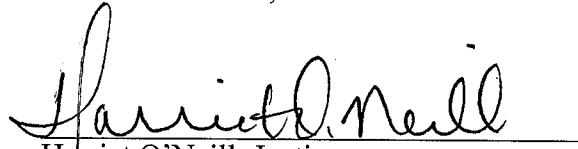
client(s) he is representing in Court.

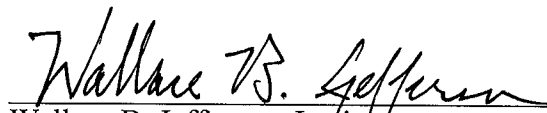
By the Court, en banc, in chambers, this the 24<sup>th</sup> day of August, 2004.

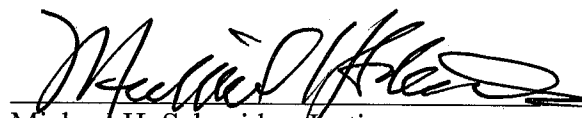
  
Thomas R. Phillips, Chief Justice

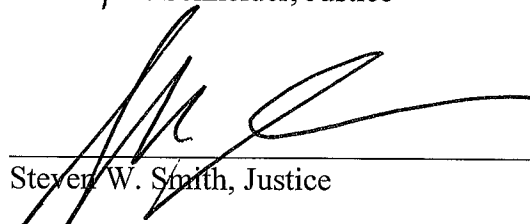
  
Nathan L. Hecht, Justice

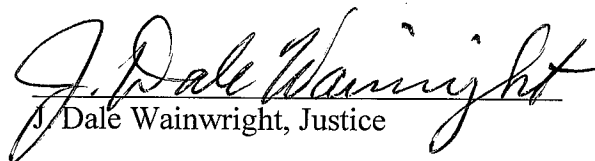
  
Priscilla R. Owen, Justice

  
Harriet O'Neill, Justice

  
Wallace B. Jefferson, Justice

  
Michael H. Schneider, Justice

  
Steven W. Smith, Justice

  
Dale Wainwright, Justice