

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 96-9167

Appointment of a District Judge to Preside
in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable Mackey K. Hancock, Judge of the 99th District Court of Lubbock County, Texas, to preside in the Disciplinary Action styled:


The Commission for Lawyer Discipline v. Rhonda Thornton Grimm

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

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

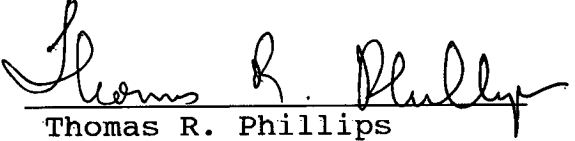
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City
of Austin, this 26th day of June, 1996.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 96-9167, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 27 day of June, 1996.


Thomas R. Phillips
Chief Justice

NO. _____

COMMISSION FOR LAWYER DISCIPLINE § IN THE DISTRICT COURT OF
V. § ECTOR COUNTY, TEXAS
RHONDA THORNTON GRIMM § _____ JUDICIAL DISTRICT

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complaining of Respondent, Rhonda Thornton Grimm (hereinafter called "Respondent"), showing the Court:

I.

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.

II.

Respondent is an attorney licensed to practice law in Texas and a member of the State Bar of Texas. Respondent, an individual who is a non-resident of Texas, residing in the State of New Mexico, elected her principal place of business as Ector County, Texas. Respondent has sufficient contacts with Texas that, under the Texas Long-Arm Statute, she can be served with process by serving her by certified mail at her address of P. O. Box 15288, Rio Rancho, New Mexico 87174-5288.

FIRST CAUSE OF ACTION

III.

In and around March, 1994, Respondent was retained by David Wayne Gongre (hereinafter referred to as "Complainant") to work on a probate matter involving the Estate of E.C. Gongre. Complainant paid Respondent \$450.00 for her services in handling the probate matter. As of May 2, 1996, the Letters of Administration to David Wayne Gongre filed on or about September 12, 1994, were the last documents filed with the Court in the probate matter. Further, as of May, 1996, the probate matter was still pending.

IV.

During the pendency of the estate case, Complainant made numerous attempts to contact Respondent by telephone and left telephone messages with Respondent's office staff. Respondent failed to return Complainant's telephone calls on numerous occasions. In and around October, 1995, Respondent relocated to New Mexico. Complainant's probate matter was still pending at the time Respondent closed her law office in Odessa and moved to New Mexico. Respondent failed to notify Complainant of her move to New Mexico and the close of her law office, as well as failed to keep the Complainant reasonably informed about the status of his case before and after Respondent relocated to New Mexico.

V.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs III, and IV hereinabove which occurred on or after January 1, 1990, constitute conduct violative of Rules 1.01(b)(1) and 1.03(a) of the Texas Rules of Professional Conduct.

VI.

The complaint which forms the basis of the cause of action hereinabove set forth was brought to the attention of the Office of the General Counsel of the State Bar of Texas by a complaint filed by the Complainant on or about October 5, 1995.

PRAYER

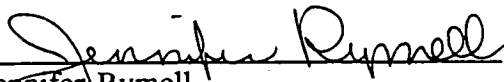
WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

Respectfully submitted,

James M. McCormack
General Counsel

Jennifer Rymell
Assistant General Counsel

Office of the General Counsel
State Bar of Texas
201 Main Street, Suite 1150
Fort Worth, Texas 76102
817-877-4993
817-335-4249


Jennifer Rymell
State Bar of Texas No. 18043750

ATTORNEYS FOR PETITIONER

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

May 15, 1996

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

Re: Commission for Lawyer Discipline v. Rhonda Thornton Grimm

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 Rhonda Thornton Grimm. Ms. Grimm is a resident of the State of New Mexico but elected Ector County, Texas, as her 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 hereby made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

Rhonda Thornton Grimm
P. O. Box 15288
Rio Rancho, New Mexico 87174-5288

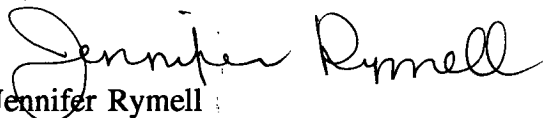
As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to whether he or she will be able to comply with the 180 day deadline by which the case must be set for trial set forth in Section 3.07 of the Texas Rules of Disciplinary Procedure. If not, I would respectfully request that an alternate appointment be made.

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 Ector County, Texas, with the request that the suit be filed, service be obtained, and a filemarked copy of the petition be returned to the undersigned. Further, please provide the undersigned a copy of the Court's appointing order in the pre-addressed envelope enclosed.

Also enclosed is a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Ector County, Texas, and a return envelope to be sent to the District Clerk of Ector County, Texas, for the Clerk's use in returning a filemarked copy of the petition to the undersigned.

If you have any questions, please contact me. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Rymell". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Jennifer Rymell
Assistant General Counsel
Office of the Chief Disciplinary Counsel
State Bar of Texas

JSR/am

Enclosures



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
JOHN CORNYN
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

TEL: (512) 463-1312

FAX: (512) 463-1365

EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

July 3, 1996

The Honorable Jackie Tripp Barnes
District Clerk of Ector County
P.O. Box 966
Odessa, Texas 79760

Dear Ms. Barnes:

Pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure, I am sending for filing in State Bar of Texas Disciplinary Action styled: The Commission for Lawver Discipline v. Rhonda Thornton Grimm and a copy of the Supreme Court's order appointing the Honorable Mackey K. Hancock, Judge of the 99th District Court, Lubbock, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Hon. Mackey K. Hancock
Ms. Rhonda Thornton Grimm
Mr. James M. McCormack



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

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CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
JOHN CORNYN
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

July 3, 1996

Honorable Mackey K. Hancock
Judge, 99th District Court
904 Broadway Street
Lubbock, Texas 79401

Dear Judge Hancock:

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 Ms. Grimm and Mr. McCormack, and a copy of the letter to the District Clerk of Ector County.

We then recommend that, four or five weeks after receipt of this letter, you or your coordinator contact the presiding judge or the District Clerk of Ector County to find out the district court to which this disciplinary case has been assigned. We then recommend that, either before or immediately after you set the case for trial, the judge or coordinator of that court 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 (915-236-6944) to obtain claims forms for your expenses and other information incident to presiding over this disciplinary case.

Sincerely,

SIGNED

John T. Adams
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

CLERK
JOHN T. ADAMS

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EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

July 3, 1996

Mr. James M. McCormack
General Counsel, State Bar of Texas
P.O. Box 12487
Austin, Texas 78711

Ms. Rhonda Thornton Grimm
P.O. Box 15288
Rio Rancho, New Mexico 87174-5288

Dear Mr. McCormack and Ms. Grimm:

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 Mackey K. Hancock, Judge of the 99th District Court, Lubbock, Texas to preside in

Commission for Lawyer Discipline v. Rhonda Thornton Grimm

Sincerely,

SIGNED

John T. Adams
Clerk