

**ORDER OF THE SUPREME COURT OF TEXAS**

**Misc Docket No. 99-9089**

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

The Supreme Court of Texas hereby appoints the Honorable Mike Lynch, Judge of the 167th District Court of Travis County, Texas, to preside in the Disciplinary Action styled:

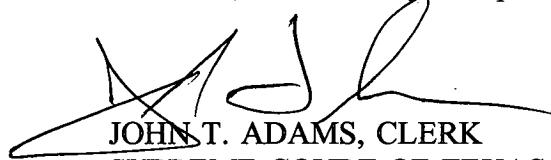
**The Commission for Lawyer Discipline v. Adjua Ayoluwa Umoja**

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

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Harris 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.

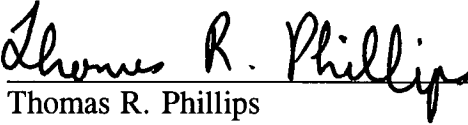
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City  
of Austin, this 30th day of April, 1999.

  
JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 99-9089, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 11 day of May, 1999.

A handwritten signature in cursive script that reads "Thomas R. Phillips". The signature is written in black ink and is positioned above a horizontal line.

Thomas R. Phillips  
Chief Justice



PROCEDURE. The complaint that forms the basis of this *Original Disciplinary Petition* was filed on or after May 1, 1992.

### **III. VENUE**

Respondent is an attorney licensed to practice law in Texas and is a member of the STATE BAR OF TEXAS. Respondent's residence and principal place of practice is Harris County, Texas; therefore, venue is appropriate in Harris County, Texas, pursuant to Rule 3.03 of the TEXAS RULES OF DISCIPLINARY PROCEDURE. Respondent may be served at her business address, 6620 Harwin, Suite 270, Houston, Texas 77036.

### **IV. CAUSE OF ACTION**

On or about April 30, 1998, ERIC J. SLAUGHTER (hereinafter referred to as "SLAUGHTER") hired Respondent to file a Motion to Modify and paid a retainer fee in the amount of Fifty Dollars (\$50.00). During the course of the representation, SLAUGHTER paid Respondent a total of Three Hundred Fifty Dollars (\$350.00). Initially, Respondent proposed to have the motion finalized on May 7, 1998. The Respondent failed to keep this commitment due to an out of town emergency.

Respondent agreed to meet with SLAUGHTER the weekend of May 23, 1998. When he arrived at her office, there was no one there. On May 26, 1998, SLAUGHTER called Respondent's office. Unable to speak to anyone in the office, SLAUGHTER faxed a letter explaining his dissatisfaction of her representation and requested a refund. SLAUGHTER requested a return call as an acknowledgment of the facsimile. Respondent failed to act on his request. SLAUGHTER

called Respondent's office and was told by Respondent that she had received his fax and her assistant was at the courthouse with the file.

On or about June 9, 1998, SLAUGHTER requested the status of a court date. The Respondent informed SLAUGHTER that the court date had been set on June 12, 1998 between 8:00 to 8:15 am.

On June 12, 1998, SLAUGHTER arrived at the courthouse by 8:00 a.m.. Respondent failed to appear at the hearing. SLAUGHTER called Respondent's office and was informed the Respondent had another out of town emergency.

On or about June 22, 1998, the Respondent informed Slaughter that the new court date was June 29, 1998 at 8:30 am. On June 29th, the Respondent failed to appear in court. The Respondent then informed SLAUGHTER the hearing had been re-scheduled to July 2, 1998.

SLAUGHTER made weekly attempts to speak to the Respondent, left messages, but never received a response.

On July 2, 1998, SLAUGHTER filed a complaint with the State Bar of Texas against Respondent.

On or about July 11, 1998, Respondent received notice of the SLAUGHTER complaint. The notice required Respondent to file a written response to the allegations of professional misconduct within thirty (30) days of her receipt of said notice. Respondent wholly failed to provide a written response. On or about September 24, 1997, Respondent also received a subpoena, which commanded her to provide a complete copy of SLAUGHTER'S client file to the Grievance Committee on or before October 7, 1998. Respondent failed to timely comply with the subpoena.

## **V. RULE VIOLATIONS**

The acts and/or omissions of Respondent described in Paragraph IV above, which occurred on or after January 1, 1990, constitute conduct in violation of Rules **1.01(b)** [for neglecting a legal matter entrusted to the lawyer]; **1.03(a)** [for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information]; **8.01(b)** [for knowingly failing to respond to a lawful demand for information from a disciplinary authority]; and **8.04(a)(8)** [a lawyer shall not fail to timely furnish to the Chief Disciplinary Counsel's office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure].

## **VIII.**

The complaint that forms the basis of this cause of action was brought to the attention of the Office of the General Counsel of the STATE BAR OF TEXAS by ERIC SLAUGHTER' S filing of a complaint on or about July 2, 1998.

## **PRAYER FOR RELIEF**

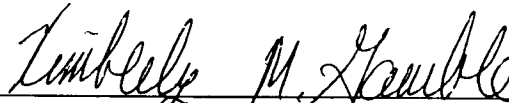
**WHEREFORE, PREMISES CONSIDERED,** Petitioner, the **COMMISSION FOR LAWYER DISCIPLINE**, respectfully prays that this Court discipline Respondent, **ADJUA AYOLUWA UMOJA**, by reprimand, suspension, or disbarment, as the facts shall warrant; order restitution to Complainant; and grant all other relief to which Petitioner may show itself to be justly entitled, including costs of court and attorneys' fees.

Respectfully submitted,

**STEVEN W. YOUNG**  
General Counsel

**KIMBERLY M. GAMBLE**  
Assistant General Counsel

**STATE BAR OF TEXAS**  
**Office of the General Counsel**  
1111 Fannin, Suite 1370  
Houston, Texas 77002  
Phone: (713) 759-6931  
Fax No.: (713) 752-2158



---

**KIMBERLY M. GAMBLE**  
State Bar No. 00789804

**ATTORNEYS FOR PETITIONER,  
THE COMMISSION FOR  
LAWYER DISCIPLINE**

# STATE BAR OF TEXAS



Office of the General Counsel

March 30, 1999

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

**Re: Commission for Lawyer Discipline v. Adjua Ayoluwa Umoja**

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 Adjua Ayoluwa Umoja. Adjua Ayoluwa Umoja has designated Harris 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 made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

Ms. Adjua Ayoluwa Umoja  
Attorney at Law  
6620 Harwin, Suite 270  
Houston, Texas 77036

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, and (2) whether he or she can accommodate compliance with Mellon Service Co., et al v. Touche Ross Co., 946 S.W.2d 862 (Tex. App. - Houston [14th Dist.] 1997), which requires that all proceedings incident to a case occur in the county of proper venue. 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

1111 Fannin, Suite 1370, Houston, Texas 77002, (713)759-6931



Mr. John Adams

March 30, 1999

Page 2


---

order to the District Clerk of Harris 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.

I have enclosed a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Harris County, Texas, and a return envelope to be sent to the District Clerk of Harris 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,



Kimberly M. Gamble  
Assistant General Counsel

KMG/lp

Enclosures



## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

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

CLERK  
JOHN T. ADAMS

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T  
JIM HUTCHESON

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

MAY 12 1999

Honorable Mike Lynch  
Judge, 167<sup>th</sup> District Court  
P.O. Box 1748  
Austin, Texas 78767-1748

Dear Judge Lynch:

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. Umoja and Ms. Gamble, and a copy of the letter to the District Clerk of Harris County.

It is recommended that, six to eight weeks after receipt of this letter, you contact the Harris County District Court Administrative Office (713-755-7593) 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, you again contact the Harris County District Court Administrative Office (713-755-6593) 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 (713-471-3911) 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

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

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

MAY 12 1999

CLERK  
JOHN T. ADAMS

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T  
JIM HUTCHESON

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

Ms. Kimberly M. Gamble  
Assistant General Counsel, State Bar of Texas  
1111 Fannin, Suite 1370  
Houston, Texas 77002

Mr. Adjua Ayoluwa Umoja  
6620 Harwin, Suite 270  
Houston, Texas 77036

Dear Ms. Gamble and Mr. Umoja:

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 Mike Lynch, Judge of the 167<sup>th</sup> District Court, Austin, Texas to preside in

*Commission for Lawyer Discipline v. Adjua Ayoluwa Umoja*

Sincerely,

SIGNED

John T. Adams  
Clerk



## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK  
JOHN T. ADAMS

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T  
JIM HUTCHESON

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

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

MAY 12 1999

The Honorable Charles Bacarisse  
District Clerk of Harris County  
P.O. Box 4651  
Houston, Texas 77002

Dear Mr. Bacarisse:

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. Adjua Ayoluwa Umoja*, and a copy of the Supreme Court's order appointing the Honorable Mike Lynch, Judge of the 167<sup>th</sup> District Court, Austin, Texas, to preside in this Disciplinary Action.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

cc: Honorable Mike Lynch  
Ms. Kimberly M. Gamble  
Mr. Adjua Ayoluwa Umoja  
Ms. Melissa Dartez