## BEFORE THE BOARD OF DISCIPLINARY APPEALS
### Appointed By
## THE SUPREME COURT OF TEXAS

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|---|---|---|
| **EPHRAIM ABERRA** | § | |
| **State Bar Card No. 24043518** | § | |
| | § | |
| **V.** | § | **CAUSE NO. 41896** |
| | § | |
| **COMMISSION FOR** | § | |
| **LAWYER DISCIPLINE OF THE** | § | |
| **STATE BAR OF TEXAS** | § | |

## ORDER DISMISSING APPEAL FOR WANT OF JURISDICTION

On June 19, 2008, the Board of Disciplinary Appeals considered en banc the Appellee's Motion to Dismiss for Want of Jurisdiction filed by the Commission for Lawyer Discipline of the State Bar of Texas in the above cause and the response from Appellant Ephraim Aberra. The Board finds that:

(1) On October 11, 2007, an Evidentiary Panel for State Bar of Texas District 06A signed a Judgment of Partially Probated Suspension against Appellant Ephraim Aberra in File No. D0060629908, styled *Commission for Lawyer Discipline v. Ephraim Aberra.*

(2) Aberra was personally served with a copy of the Judgment of Partially Probated Suspension on October 25, 2007.

(3) Aberra filed his notice of appeal from the Judgment of Partially Probated Suspension on March 11, 2008.

(4) Aberra has provided no explanation for his failure to file the notice of appeal timely and did not request an extension of time to file the notice of appeal.

A notice of appeal from an evidentiary judgment must be filed within 30 days of the date of judgment pursuant to Texas Rules of Disciplinary Procedure 2.24 unless a timely motion for new trial or motion to modify is filed or unless an extension is granted. Based on these findings, then, the Board concludes that Aberra has failed to invoke the jurisdiction of the Board to hear an appeal

from the Judgment of Partially Probated Suspension dated October 11, 2007. The Board finds, therefore, that the Appellee's Motion to Dismiss for Want of Jurisdiction should be granted.

It is therefore **ORDERED** that Appellant Ephraim Aberra's appeal from the Judgment of Partially Probated Suspension in Cause No. D0060629908 be and hereby is **DISMISSED** for want of jurisdiction.

**SIGNED** this _____ 25th _____ day of June 2008.

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**CHAIR PRESIDING**