



**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS**

IN THE MATTER OF §
ERIC D. DIXON § **CAUSE NO. 61385**
STATE BAR CARD NO. 05906020 §

JUDGMENT OF SUSPENSION

On the 25th day of January 2019, the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline of the State Bar of Texas appeared by attorney and announced ready. Respondent appeared in person and announced ready. All questions of fact as well as all issues of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, Eric D. Dixon, whose Bar Card No. is 05906020, is an attorney licensed and currently authorized by the Supreme Court of Texas to practice law in the State of Texas.
- (2) The Disciplinary Board of the Supreme Court of the State of New Mexico Panel's Decision, Report and Recommendation dated August 13, 2018; Findings of Fact and Conclusions of Law of the Hearing Committee dated April 30, 2018; and Specification of Charges dated September 27, 2017, were filed in the matter entitled *In the Matter of Eric Dixon, Esq.*,

Respondent, an Attorney licensed to practice before the Court of the State of New Mexico, Disciplinary No. 09-2017-771.

- (3) On or about November 9, 2018, an Order was entered in the Supreme Court of the State of New Mexico, in No. S-1-SC-37204, in a matter styled: *In the Matter of Eric Dixon, an Attorney Suspended from the Practice of Law in the Courts of the State of New Mexico*, that states in pertinent part as follows:

. . . NOW, THEREFORE, IT IS ORDERED that the findings of fact of the disciplinary board are ACCEPTED as supported by substantial evidence, the conclusions of law of the disciplinary board are ADOPTED with the exception of the second sentence of Conclusion of Law E, and the disciplinary board's request to adopt its recommendation for discipline is GRANTED AS MODIFIED BY THIS ORDER;

IT IS FURTHER ORDERED that, pursuant to Rule 17-206(A)(3) NMRA, respondent, ERIC D. DIXON, shall be INDEFINITELY SUSPENDED from the practice of law, effective thirty (30) days from the date of this order, and for a period of time of no less than nine (9) months . . .

- (4) The Findings of Fact and Conclusions of Law of the Hearing Committee adopted by the Supreme Court of New Mexico found that Respondent violated the following Rules of Professional Conduct:
- a. Rule 16-101. Competence. Mr. Dixon was negligent in inadvertently filing suit for Jessie Aguilar. Mr. Dixon was negligent in his representation of Jessica Aguilar during the Federal Lawsuit by treating her as though she was the same person as the plaintiff Jessie Aguilar toward the end of those proceedings. Mr. Dixon was negligent in stipulating to the dismissal of Jessie Aguilar Federal Lawsuit.
 - b. Rule 16-301. Meritorious Claims and Contentions. Mr. Dixon negligently filed a frivolous lawsuit for a plaintiff, Jessie Aguilar that did not exist.
 - c. Rule 16-303. Candor Toward the Tribunal. Mr. Dixon knowingly made a false statement of fact to the court during the State Lawsuit.

- d. Rule 18-801. Bar admission and disciplinary matters. Mr. Dixon knowingly made a false statement of fact during this disciplinary matter.
 - e. Rule 16-804. Misconduct. Mr. Dixon engaged in conduct involving dishonesty, deceit, and misrepresentation.
- (5) Respondent, Eric D. Dixon is the same person as the Eric Dixon, who is the subject of the Order entered in Supreme Court of the State of New Mexico; and
- (6) The Order entered in the Supreme Court of New Mexico is final.

Conclusions of Law. Based upon the foregoing findings of facts the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Rule 7.08(H), Texas Rules of Disciplinary Procedure;
- (2) Reciprocal discipline identical to that imposed by the Supreme Court of New Mexico is warranted in this case.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Eric D. Dixon, State Bar Card No. 05906020, is hereby SUSPENDED from the practice of law in Texas for a period of nine (9) months beginning January 28, 2019 and ending October 28, 2019. ,

It is further ORDERED, ADJUDGED and DECREED that Respondent Eric D. Dixon during said suspension is prohibited from practicing law in Texas, holding himself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services, appearing as counsel in any proceeding in any Texas court or before any Texas administrative body, or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, Eric D. Dixon, within thirty (30) days of the date of this judgment, shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent, Eric D. Dixon, has any legal matter pending, if any, of his suspension, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court.

It is further ORDERED Respondent shall file with the State Bar of Texas Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the date of this judgment, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in Court.

It is further ORDERED that Respondent, Eric D. Dixon, within thirty (30) days of the date of this judgment, shall notify each of his current clients and opposing counsel, if any, in writing, of his suspension. In addition to such notification, Respondent is ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former clients, if any, to those respective clients or former clients within thirty (30) days of the date of this judgment if requested.

It is further ORDERED Respondent shall file with the State Bar of Texas Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX

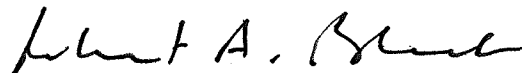
78701), within thirty (30) days of the date of this judgment, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property requested by any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property.

It is further ORDERED that Respondent, Eric D. Dixon, within thirty (30) days of the date of this judgment, surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further ORDERED that a certified copy of the Petition for Reciprocal Discipline on file herein, along with a copy of this Judgment, be sent to the Office of the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

IT IS FURTHER ORDERED that this Judgment of Suspension shall be made a matter of public record and be published in the Texas Bar Journal.

Signed this 28th day of January 2019.



CHAIR PRESIDING