

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

**STEPHEN T. LEAS**

**V.**

**COMMISSION FOR  
LAWYER DISCIPLINE OF THE  
STATE BAR OF TEXAS**

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**CAUSE NO. 26618**

**ORDER AFFIRMING IN PART AND REVERSING IN PART AND  
REMANDING FOR HEARING ON SANCTION**

On January 17, 2003 came on to be heard before the Board of Disciplinary Appeals appointed by the Supreme Court of Texas the appeal by Respondent below Stephen T. Leas from the Judgment of Partially Probated Suspension signed by the evidentiary panel of the District 12B Grievance Committee of the State Bar of Texas on July 9, 2002 in Cause No. S2080103329. Having considered the record and the briefs submitted by the parties, the Board finds that there is substantial evidence to support the findings that Respondent violated TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT 3.03(a) and 8.04(a)(3) ("TDRPC") and affirms those findings. The Board further finds that there is not substantial evidence to support the findings that Respondent violated TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT 5.03(a) and 5.03(b) and reverses those findings. The Board further finds that the sanction of partially probated suspension should be reversed and the case remanded to the evidentiary panel for a hearing to determine the appropriate sanction to be imposed.

It is therefore **ORDERED** that the Judgment of Partially Probated Suspension is **AFFIRMED** as to the findings that Respondent violated TDRPC 3.03(a)(5) and 8.04(a)(3).

It is further **ORDERED** that the Judgment is **REVERSED** as to the findings that Respondent violated TDRPC 5.03(a) and 5.03(b).

It is further **ORDERED** that the sanction of partially probated suspension be **REVERSED**.

It is further **ORDERED** that this cause is **REMANDED** to the evidentiary panel of the District 12B grievance committee solely for the purpose of holding a hearing to determine the appropriate sanction to be imposed.

It is further **ORDERED** that the affidavit of Steven D. Peterson be **STRICKEN** from the record.

**SIGNED** this 24<sup>th</sup> day of January, 2003.

  
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**CHAIRMAN PRESIDING**