



Sep 25, 2018

Board of Disciplinary Appeals

From: PMLAW
To: appeal@txboda.org
Cc: [Marie Haspil](mailto:Marie.Haspil@JAHLAWFIRM.COM); JUSTIN@JAHLAWFIRM.COM; pmlaw9504@gmail.com
Subject: NOTICE OF APPEAL of Disciplinary Judgment signed on August 22, 2018 and Motion for Stay of Execution of Suspension Pending Appeal
Date: Monday, September 24, 2018 8:30:18 PM

I am filing this Notice of Appeal of the disciplinary judgment against me signed on August 22, 2018 regarding complainants, No. 1700545 Griselda Hernandez and No. 201703331, Baldemar SalasArellano. The basis of the appeal is as follows:

1. I requested an oral motion for continuance at the hearing because I did not have an opportunity to prepare due to my chemotherapy which I have been on since August 2017 and my recent loss of my office. The hearing was not on my calendar and it was a surprise when I found out about it the morning of the hearing. I had no notes and no files to assist in my defense.
This was my first hearing and it was I had good cause for the hearing to be continued.
2. With regards to the Complaint of Baldemar Salas Arrellano, there was insufficient evidence to support the findings of the panel since there was no live or deposition testimony from Mr. Salas-Arellano. The only testimony was by the deposition testimony of the attorney for Mr. Arrellano who had no personal knowledge of the events, was disqualified by the panel to give an expert opinion and whose opinion was biased, unreliable and untrustworthy.
The attorney had a clear conflict to testify on the alleged misconduct since he was paid by the Complainant to file a Lozada complaint.
3. There was insufficient evidence of the other complainant of Griselda Hernandez who was not the client, had paid \$1,500.00 for an investigation which was done and had a financial interest in filing the complaint. The panel unfairly and without good cause chose the biased testimony of the Complainant against the testimony of counsel who is an officer of the law and who completed the investigation and determined there was no relief available.

Appellant respectfully requests a stay of execution of the suspension pending appeal since Counsel continues with chemotherapy and is not taking any new case.

Appellant has a few case which need to be completed and it would be harmful for the clients to obtain new counsel at their stage of the cases.

Appellant is working as a paralegal for Daniel G. Garica, Attorney at Law only part-time due to the weekly chemotherapy sessions and does not

Sign any new contracts for legal services while employed for Mr. Garcia.

Appellant requests an evidentiary hearing to present testimony and evidence in support of this motion.

Sincerely,

Pascual Madrigal

SBN. 12802150

CC: JUSTIN HILL, ATTORNEY FOR THE OFFICE OF CHIEF DISCIPLINARY COUNSEL
MARI HASPIL, ATTORNEY FOR TEXAS STATE BAR