



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

**IN THE MATTER OF
BRYAN P. CARTALL
STATE BAR CARD NO. 03907300**

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CAUSE NO. 49552

JUDGMENT OF SUSPENSION

On the 20th day of April 2012, the above-styled and numbered 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, Bryan P. Cartall, appeared in person and by attorney and announced ready. All issues of fact as well as all questions 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, Bryan P. Cartall, State Bar Card Number 03907300, is licensed and authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about May 24, 2011, Bryan Cartall was charged by Information with Conspiracy to Commit Bribery in Federally Funded Programs, in violation of 18 U.S.C. §§ 371 and 666, in Case No. 1:11cr220, styled *United States of America v. Bryan Cartall*, in the United States District Court for the Northern District of Ohio, Eastern Division.

- (3) On or about September 20, 2011, a Judgment in a Criminal Case was entered in Case No. 1:11cr00220-001, styled *United States of America v. Bryan Cartall*, in the United States District Court for the Northern District of Ohio, wherein Respondent pled guilty to Conspiracy to Commit Bribery in Federally Funded Program in violation of 18 U.S.C. §§ 371 and 666. Respondent was sentenced to probation for a term of three (3) years and ordered to comply with Special Conditions of Supervision including the payment of a fine in the amount of \$150,000.00 and participation in the Location Monitoring Program for a period of six (6) months requiring Respondent to remain in his residence unless given permission in advance by the probation officer with the exception of attending work, medical treatment or religious services.
- (4) Respondent, Bryan P. Cartall, is the same person as the Bryan Cartall, who is the subject of the Judgment described above.
- (5) Respondent's criminal conviction is final;
- (6) Respondent's criminal sentence is fully probated.

Conclusions of Law. Based upon the foregoing findings of fact the Board of Disciplinary

Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) ("TRDP").
- (2) Respondent, Bryan P. Cartall, having been convicted of Conspiracy to Commit Bribery in Federally Funded Program has been convicted for purposes of TRDP 8.04 of an Intentional Crime as defined by TRDP 1.06(T) and of a Serious Crime as defined by TRDP 1.06(Z).
- (3) Respondent, Bryan P. Cartall, should be suspended for the term of his criminal probation as originally assessed.
- (4) The Board retains jurisdiction of this matter during the term of Respondent's criminal probation pursuant to TRDP 8.06.
- (5) In the event that the above-described criminal probation of Respondent, Bryan P. Cartall, is revoked, Respondent, Bryan P. Cartall, shall be disbarred.

TRDP 8.06.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Bryan P. Cartall, State Bar Card No. 03907300, be and he is hereby SUSPENDED from the practice of law in the State of Texas and his license to practice law in the State of Texas be suspended for a period beginning effective the date of this judgment and ending September 21, 2014.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Bryan P. Cartall, 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 not completed prior to the date of this judgment, 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, Bryan P. Cartall, shall, no later than thirty (30) days from the date of this judgment, 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, Bryan P. Cartall, 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. Respondent is also ORDERED to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Bryan P. Cartall, shall immediately notify each of

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Bryan P. Cartall

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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 after the date on which this Judgment is signed by the Board. Respondent is further ORDERED to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating that all current clients have been notified of his suspension and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property to 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. Respondent is also ORDERED to mail a copy of all notification letters to clients to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Bryan P. Cartall, immediately 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.

This Board retains jurisdiction during the period of suspension pursuant to TRDP 8.06 to disbar Respondent in the event that his criminal probation is revoked.

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Signed this 23rd day of April 2012.

A handwritten signature in cursive script, appearing to read "W. Clark", is written above a horizontal line.

CHAIR PRESIDING