

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

IN THE MATTER OF

GAYLYN LEON COOPER

STATE BAR CARD NO. 04774700

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CAUSE NO. 65079

**AGREED JUDGMENT OF REVOCATION AND
ACTIVE SUSPENSION FROM THE PRACTICE OF LAW**

On this day, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and Respondent appeared in person as indicated by their respective signatures below and announced that they agree to the findings of fact, conclusions of law, and orders set forth below. The Board of Disciplinary Appeals, having reviewed the file and in consideration of the agreement of the parties, 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, Gaylyn Leon Cooper, whose State Bar Card number is 04774700, is licensed and authorized by the Supreme Court of Texas to practice law.
- (2) Respondent was personally served with the Petition for Revocation of Probation and hearing notice in this cause by a duly authorized process server on January 13, 2021, in accordance with the Texas Rules of Disciplinary Procedure 2.22 ("TRDP"). The affidavit of service was filed with the Board on January 21, 2021.
- (3) On February 5, 2020, in a case styled, *Commission for Lawyer Discipline, Petitioner, v. Gaylyn Leon Cooper, Respondent*, Case Nos. 201806966, 201802780, an Evidentiary Panel of the State Bar of Texas District 3 Grievance Committee found that Respondent had committed violations of Texas Disciplinary Rules of Professional Conduct 1.01(b)(1), 1.01(b)(2), 1.03(a), 1.03(b), 1.14(a), and 1.15(d). Respondent received a sanction of a

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four (4) year fully probated suspension beginning April 1, 2020, and ending March 31, 2024.

- (4) Respondent was Ordered not to violate any term of the judgment.
- (5) Respondent was ordered to promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegation of professional misconduct.
- (6) Respondent was ordered to pay reasonable and necessary attorney's fees to the State Bar of Texas in the amount of \$2,687.50.
- (7) Respondent was ordered to pay restitution on or before April 1, 2020, to Frances Living in the amount of \$2,300.00.
- (8) Respondent was prohibited from accepting any fee directly or indirectly for legal services; or appearing as counsel or in any representative capacity in any proceeding in any Texas of [sic] Federal Court or before any administrative body not involving his duties as an employee of the City of Port Arthur, Texas.
- (9) Respondent was ordered to finalize or otherwise withdraw from all private legal matters, not involving his duties as an employee of the city of Port Arthur, Texas, in all courts in which he is attorney or record, before April 1, 2020.
- (10) Respondent was ordered to return any files, papers, unearned monies, and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request, before April 1, 2020.
- (11) Respondent was ordered to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) on or before April 1, 2020, an affidavit stating respondent has withdrawn from or otherwise finalized all private legal matters and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein.

Respondent violated the above-noted terms of active suspension in the following manner:

- (12) Respondent failed to respond to one "contact us" email, and two demand letters via email, certified mail, and regular mail, sent to him by Ms. Heather K. White, Statewide Compliance Monitor of the Office of the Chief Disciplinary Counsel.
- (13) Respondent failed to pay reasonable and necessary attorney's fees to the State Bar of Texas in the amount of \$2,687.50.



- (13) Respondent failed to pay the Two Thousand Three Hundred Fifty and no/100 Dollars (\$2,350.00) in restitution due on April 1, 2020, to Frances Living.
- (14) Respondent failed to file, on or before April 1, 2020, with the State Bar of Texas, Chief Disciplinary Counsel's Office, an affidavit stating respondent has withdrawn from or otherwise finalized all private legal matters and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein.
- (15) Respondent, Gaylyn Leon Cooper, is the same person as the Gaylyn Leon Cooper, who is the subject of the Evidentiary Judgment described above.

Based on these undisputed facts, the Board concludes that:

- (1) This Board has exclusive jurisdiction to hear a petition to revoke a probated suspension from the practice of law imposed by an evidentiary panel of the State Bar of Texas grievance committee during the full term of suspension, including any probationary period. TRDP 2.22; *In re State Bar of Texas*, 113 S.W.3d 730,733 (Tex.2003).
- (2) Respondent has materially violated the terms and conditions of the Judgment of Probated Suspension signed on February 5, 2020, in Cause Nos. 201806966, 201802780.
- (3) Respondent should be actively suspended from practicing law for the full term of the suspension as originally imposed by the Judgment of Probated Suspension without credit for any probationary time served. TRDP 2.22.

It is therefore, **ORDERED, ADJUDGED, and DECREED** that Respondent, Gaylyn Leon Cooper, State Bar No. 04774700, be, and hereby is, actively **SUSPENDED** from the practice of law in the State of Texas for a period of four (4) years effective Jan. 29, 2021 and ending Jan. 28, 2025.

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Gaylyn Leon Cooper, 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 or in any representative capacity 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, Gaylyn Leon Cooper, not later than thirty (30) days 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, Gaylyn Leon Cooper, 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 Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Gaylyn Leon Cooper, shall immediately 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 after the date on which this Judgment is signed by the Board. Respondent is further ORDERED to file with this Board, 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



said affidavit and copies of all notification letters to clients, to the Statewide Compliance Monitor, Office of Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Gaylyn Leon Cooper, immediately surrender his Texas law license and permanent State Bar Card to the Office of the Chief Disciplinary Counsel, State Bar of Texas, for transmittal to the Clerk of the Supreme Court of Texas.

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

It is further ORDERED that this Agreed Judgment of Revocation and Active Suspension from the Practice of Law shall be made a matter of public record and be published in the Texas Bar Journal.

Signed this 29th day of January 2021.



CHAIR PRESIDING
BOARD OF DISCIPLINARY APPEALS

AGREED AS TO BOTH FORM AND SUBSTANCE:



Gaylyn Leon Cooper
State Bar No. 04774700
Respondent



Luis J. Marin
State Bar No. 24108702
Counsel for Petitioner