



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

IN THE MATTER OF §
L. MICKELE DANIELS § **CAUSE NO. 57321**
STATE BAR CARD NO. 05374900 §

JUDGMENT OF DISBARMENT

On August 4, 2017, the Board of Disciplinary Appeals heard the Motion for Entry of Judgment of Disbarment filed in the above case by Petitioner, Commission for Lawyer Discipline of the State Bar of Texas, against Respondent, L. Mickele Daniels. Petitioner appeared through the Office of the Chief Disciplinary Counsel of the State Bar of Texas. Respondent appeared in person and by his attorney.

After taking evidence and hearing argument, the Board finds that:

- (1) It has continuing jurisdiction of this matter pursuant to Texas Rules of Disciplinary Procedure 8.05 (“TRDP”).
- (2) The Fourteenth Court of Appeals affirmed the criminal conviction of Respondent Daniels for Misapplication of Fiduciary Property that is the basis of this compulsory discipline action and issued its Mandate in Case No. 14-15-00111-CR indicating that Respondent’s criminal conviction was final on or about February 22, 2017.
- (3) Petitioner filed its Motion for Entry of Judgment of Disbarment on or about June 2, 2017, and served same on Respondent on June 5, 2017, in accordance with TRDP 8.05.
- (4) After hearing evidence and considering all the relevant factors, the Board determined that Respondent should be disbarred. Therefore, Petitioner’s Motion for Entry of Judgment of Disbarment should be granted.

Interlocutory Suspension

On the 2nd day of May 2016, the Board of Disciplinary Appeals entered an Interlocutory Order of Suspension, which included the following findings of fact and conclusions of law:

- (1) On or about November 23, 2013, Respondent was charged by Indictment with Misapplication of Fiduciary Property, in Cause No. 1339959 1399598, styled *The State of Texas v. Leiroy Mickle Daniels* in the District Court of Harris County, Texas.
- (2) On or about January 21, 2015, an Order of Deferred Adjudication was entered in Case No. 139959801010, styled *The State of Texas v. Daniels, Leiroy Mickle*, in the 230th District Court of Harris County, Texas, wherein Respondent pled *nolo contendere* to misapplication/Fiduciary/Finan 20k - 100k, a Third Degree Felony, in violation of Texas Penal Code § 32.45, and was placed on community supervision of for a period of five (5) years and ordered to pay \$212.00 in court costs.
- (3) Respondent, L. Mickle Daniels is the same person as the Leiroy Mickle Daniels who is the subject of the criminal case described above.
- (4) Respondent has appealed the criminal conviction.
- (5) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) (“TRDP”).
- (6) Respondent, L. Mickle Daniels, having pled *nolo contendere* to Misapplication/Fiduciary/Finan 20k — 100k, has been placed on deferred adjudication for the commission of an Intentional Crime as defined by TRDP 1.06(T).
- (7) Respondent has also been placed on deferred adjudication for the commission of a Serious Crime as defined by TRDP 1.06(AA).
- (8) Having pled *nolo contendere* to and having been placed on deferred adjudication for the commission of an Intentional and Serious Crime and having appealed such judgment, Respondent, L. Mickle Daniels' license to practice law in Texas shall be suspended during the appeal of his criminal conviction. TRDP 8.04.
- (9) The Board retains jurisdiction to enter a final judgment in this matter

when the criminal appeal is final. TRDP 8.05.

Disbarment

After hearing evidence and the argument of counsel and after considering the relevant factors, the Board has determined that Respondent should be disbarred. It is, therefore, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, L. Mickle Daniels, State Bar No. 05374900, be and he is hereby **DISBARRED** from the practice of law in the State of Texas, and his license to practice law in this state be and is hereby revoked.

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, L. Mickle Daniels, is hereafter permanently prohibited, effective immediately, 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** Respondent, L. Mickle Daniels, shall immediately notify each of his current clients in writing of this disbarment. In addition to such notification, Respondent is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients and former clients in the Respondent's possession to the respective clients or former clients or to another attorney at the client's or former client's request. Respondent is further **ORDERED** to file with the Compliance Officer, State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) within thirty (30) days of the signing of this judgment by the Board, an affidavit stating that all current clients have been notified of Respondent's disbarment and that all files, papers, monies and other property

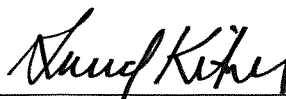
belonging to all clients and former clients have been returned as ordered herein.

It is further **ORDERED** Respondent, L. Mickle Daniels, shall, on or before thirty (30) days from the signing of this judgment by the Board, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every court or tribunal 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. Respondent is further **ORDERED** to file with the Compliance Officer, State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) within thirty (30) days of the signing of this judgment by the Board, an affidavit stating that each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice has received written notice of the terms of this judgment.

It is further **ORDERED** that Respondent, L. Mickle Daniels, if he has not already done so, immediately surrender his Texas law license and permanent State Bar Card to the Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of Texas, P. O. Box 12487, 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 Compulsory Discipline on file herein along with a copy of this Final Judgment of Disbarment be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 7 day of August 2017.



CHAIR PRESIDING