

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

**IN THE MATTER OF**

**L. MICKELE DANIELS**

**STATE BAR CARD NO. 05374900**

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**CAUSE NO. 57321**

FILED

**March 31, 2016**



Board of Disciplinary Appeals

**RESPONDENT'S ORIGINAL ANSWER**

TO THE BOARD OF DISCIPLINARY APPEALS:

Respondent, L. Mickle Daniels, files this his Respondent's Original Answer in the above styled cause and would show the Board of Disciplinary Appeals the following:

**I.  
General Denial**

1. Respondent, L. Michele Daniels, denies each and every, all and singular, the allegations made the basis of the Petition for Compulsory Discipline on file herein and demands strict proof thereof by a preponderance of the evidence.

**II.  
Specific Responses**

2. Respondent is without specific information to admit or deny the allegation of paragraph 1 of the Petition for Compulsory Discipline.

3. Respondent admits the allegations of paragraph 2 of the Petition for Compulsory Discipline.

4. Respondent is without specific information to admit or deny the allegations of paragraph 3 of the Petition for Compulsory Discipline.
5. Respondent is without specific information to admit or deny the allegations of paragraph 4 of the Petition for Compulsory Discipline.
6. Respondent admits the allegations of paragraph 5 of the Petition for Lawyer Discipline.
7. Respondent is without specific information to admit or deny the allegations of paragraph 6 of the Petition for Compulsory Discipline.
8. Respondent denies the allegations of paragraph 7 of the Petition for Compulsory Discipline.
9. Respondent denies the allegations of paragraph 8 of the Petition for Compulsory Discipline.

**III.**  
**Alternative Requests**

10. If the Board of Disciplinary Appeals determines that Respondent has been convicted of an *intentional crime*, as defined by the *Tex.R.Dis.P.* 1.06T, Respondent would show the Board of Disciplinary Appeals that he has directly appealed the underlying case to the Fourteenth Court of Appeals, Cause No. 14-15-00111-CR, and that the case was *submitted* to the court for ruling on February 18, 2016. Accordingly, Respondent requests the Board of Disciplinary Appeals, pursuant to Rule 6.02(a), *Internal Procedural Rules, Board of Disciplinary Appeals*, Effective February 19, 2015, in its discretion, not suspend Respondent from the practice of law during the appeal, based upon the facts of the case and based upon the fact that Respondent's continued practice of law constitutes no danger to the public and/or Respondent's clients during the period of said direct appeal.

11. If the Board of Disciplinary Appeals determines that Respondent has been convicted of an *intentional crime* as defined by the *Tex.R.Dis.P.1.06T*, and all direct appeals have become final, Respondent requests that the Board of Disciplinary Appeals, under the facts of this case, only suspend Respondent for a period concurrent with his active probation, pursuant to Rule 8.05, *Tex.R.Dis.P.* and not disbar Respondent, in its discretion, for a good cause shown, based upon the underlying facts.

**IV.**  
**Prayer**

12. WHEREFORE, PREMISES CONSIDERED, Respondent prays that upon final hearing hereof that the Petition for Compulsory Discipline be denied. Alternatively, Respondent prays that he not be suspended from the practice of law during his direct appeal for good cause shown based upon the facts. Alternatively, Respondent prays that if all of his direct appeals are affirmed that he be granted a suspension concurrent with his active probationary period, in the discretion of the Board of Disciplinary Appeals, for good cause shown, based upon the underlying facts.

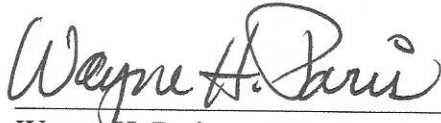
Respectfully submitted,

/s/ Wayne H. Paris  
Wayne H. Paris  
Paris Law Group  
State Bar No. 15462000  
Two Riverway, Suite 1080  
Houston, Texas 77056  
Telephone: (713) 951-9100  
Facsimile: (713) 961-3082  
***Attorney for Respondent,***  
***L.Mickele Daniels***

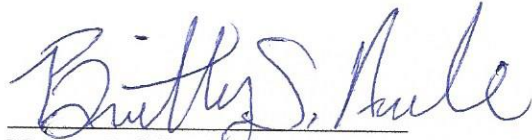
VERIFICATION

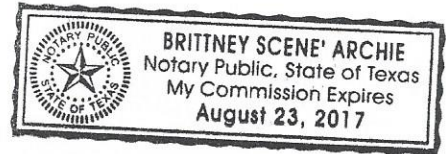
STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

BEFORE ME on the below date appeared Wayne H. Paris, Attorney for Respondent in the above styled case, who did depose and state that has read the foregoing Respondent's Original Answer and that the statements contained in same are true and correct to the best of his knowledge, information and belief.

  
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Wayne H. Paris

SWORN TO AND SUBSCRIBED before me on this 31<sup>st</sup> day of March 2016.

  
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Notary Public, State of Texas



**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Respondent's Original Answer* have been served upon all interested counsel of record on the 31<sup>th</sup> day of March 2016 via electronic transmission.

/s/ Wayne H. Paris  
Wayne H. Paris

**Via ProDoc and Email**

Ms. Rebecca (Beth) Stevens  
Assistant Disciplinary Counsel  
State Bar of Texas  
P.O. Box 12487, Capital Station  
Austin, Texas 78711  
E-mail: bstevens@texasbar.com