

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

**IN THE MATTER OF  
LUTHER JONES  
STATE BAR CARD NO. 10928000**

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§

**CAUSE NO. 49601**

**AGREED INTERLOCUTORY ORDER OF SUSPENSION**

On this day, the above-styled and numbered compulsory disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and Respondent appeared by attorney 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, Luther Jones, whose State Bar Card number is 10928000, is licensed by the Supreme Court of Texas to practice law but is not currently authorized to practice law in the State of Texas.
- (2) On or about May 28, 2009, Respondent was charged by indictment with Count 1 - Conspiracy to Commit Wire Fraud and the Deprivation of Honest Services in violation of 18 U.S.C §§ 1349, 1346 and 1343; Count 2 - Conspiracy to Commit Mail Fraud and the Deprivation of Honest Services in violation of 18 U.S.C. §§ 1349, 1346 and 1341; Count 3 - Mail Fraud and the Deprivation of Honest Services in violation of 18 U.S.C §§ 1346 and 1341; Count 4 - Bribery Concerning Programs Receiving Federal Funds and Aiding and Abetting in violation of 18 U.S.C. § 666(a)(1)(B), 2; and Count 5 - Bribery Concerning Programs Receiving Federal Funds and Aiding and Abetting in violation of 18 U.S.C. § 666(a)(2), 2 in Cause No. EP09CR1567, styled *United States of America, Plaintiff, v. Luther Jones and Gilbert Sanchez, Defendants*, in the United States District Court for the Western District of Texas, El Paso Division.

- (3) On or about August 23, 2011, a Judgment in a Criminal Case (Exhibit 2) was entered in Case No. EP-09-CR-1567-PM(1), styled *The United States of America v. Luther Jones, RN-LUTHER EDWARD JONES, Defendant*, in the United States District Court for the Western District of Texas, El Paso Division, wherein Respondent was found guilty of Count 1 – Conspiracy to Commit Wire Fraud and Deprivation of Honest Services and Count 2 – Conspiracy to Commit Mail Fraud and the Deprivation of Honest Services and was committed into the custody of the United States Bureau of Prisons to be imprisoned for a total term of seventy-two (72) months on each of Counts 1 and 2 to be served concurrently. The Court further Ordered that upon release from imprisonment, the Respondent shall be on supervised release for a term of three (3) years on each of Counts 1 and 2 to be served concurrently. Respondent was also Ordered to pay an assessment of \$200.00 and a fine of \$50,000.00.
- (4) Respondent, Luther Jones, is the same person as the Luther Jones who is the subject of the Jones criminal case described above.
- (5) Respondent has appealed the criminal conviction.

**Conclusions of Law.** Based upon the foregoing findings of facts the Board of Disciplinary

Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Rule 7.08(G), Texas Rules of Disciplinary Procedure.
- (2) Respondent, Luther Jones, having been convicted of Conspiracy to Commit Wire Fraud and Deprivation of Honest Services and Conspiracy to Commit Mail Fraud and the Deprivation of Honest Services has been convicted of Intentional Crimes as defined by TRDP 1.06(T).
- (3) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(Z).
- (4) Having been found guilty and convicted of Intentional and Serious Crimes and having appealed such conviction, Respondent, Luther Jones, should have his license to practice law in Texas suspended during the appeal of his criminal convictions. TRDP 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

It is, accordingly, ORDERED, ADJUDGED, and DECREED that Respondent, Luther Jones, State Bar Card No. 10928000, is hereby SUSPENDED from the practice of law in the State of Texas effective immediately upon entry of this order and continuing hereafter until further order of this Board.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Luther Jones, during said suspension is hereby 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 not completed before the date of this order, 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, Luther Jones, shall notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Luther Jones, 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, Luther Jones, 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 with active cases pending, if any, to those respective clients or former clients with active cases pending within thirty (30) days after the date of this Order. 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 either (a) that all current clients and opposing counsel 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 with active cases pending have been returned as ordered herein or (b) that Respondent has no current clients, files, or papers, and that any unearned fees paid in advance or other monies or properties belonging to clients have previously been returned to the appropriate client. If Respondent is unable to return any file, papers, money or other property to any client or former client with active cases pending, 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 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, Luther Jones, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary, State Bar of Texas, P.O. Box 12487, Capitol Station, 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 Order, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that this Order is interlocutory and that the Board retains jurisdiction to enter a final judgment when the appeal of the criminal conviction is final. In the Matter of Mercier, 242 SW 3d 46 (Tex. 2007).

It is further ORDERED that Respondent shall promptly notify the Board and the State Bar of Texas Chief Disciplinary Counsel when the appeal of the criminal conviction is final.

It is further ORDERED that the Chief Disciplinary Counsel of the State Bar of Texas shall monitor the status of the appeal of the criminal conviction on at least a quarterly basis and promptly file an appropriate motion for entry of final judgment with the Board when the appeal of the criminal conviction is final.

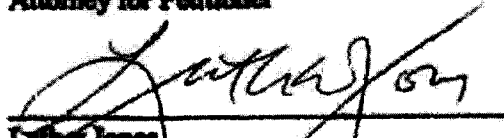
Signed this 26<sup>th</sup> day of January 2012<sup>with</sup>  
-2011.

  
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Chairman Presiding  
Board of Disciplinary Appeals

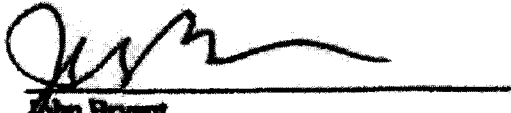
**APPROVED AS TO FORM AND CONTENT:**



**Laura Bayouth Pepps  
Deputy Counsel for Administration  
State Bar Card No. 00787050  
Attorney for Petitioner**



**Luther Jones  
State Bar Card No. 10928008  
Respondent**



**John Bryant  
State Bar Card No. 03277500  
Attorney for Respondent**