



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

**IN THE MATTER OF** §  
**LUTHER JONES** § **CAUSE NO. 49601**  
**TEXAS BAR CARD NO. 10928000** §

**JUDGMENT OF DISBARMENT**

On the 1st day of February 2013, the Board of Disciplinary Appeals considered 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, Luther Jones, Texas Bar Card No. 10928000. The Board finds that:

- (1) It has continuing jurisdiction of this matter pursuant to Texas Rule of Disciplinary Procedure 8.05 ("TRDP").
- (2) The United States Court of Appeals for the Fifth Circuit issued its judgment as the mandate dismissing the appeal by Luther Jones of his criminal conviction on or about September 25, 2012 in Case No. 11-50774, *United States of America v. Luther Jones*.
- (3) Petitioner filed its Motion for Entry of Judgment of Disbarment on or about December 13, 2012, and Respondent was personally served with same by the Fremont County Sheriff Civil Deputy on December 28, 2012 in accordance with TRDP 8.05.
- (4) The return and affidavit of service has been on file with the Board since January 10, 2013.
- (5) Respondent, having been duly notified of the hearing on the Motion for Entry of Judgment of Disbarment, has not answered or otherwise appeared and wholly made default.
- (6) Respondent's conviction for the commission of Intentional Crimes as defined

by TRDP 1.06(T), for which he was sentenced in the United States District Court for the Western District of Texas, El Paso Division, has become final and is not subject to appeal.

- (7) Respondent's criminal sentence was not fully probated.
- (8) Petitioner's Motion for Entry of Judgment of Disbarment should be granted. TRDP 8.04; 8.05.

### **Interlocutory Suspension**

On the 26<sup>th</sup> day of January 2012, the Board of Disciplinary Appeals entered an Agreed Interlocutory Order of Suspension which included the following findings of fact and conclusions of law:

- (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 22, 2011, a Judgment in a Criminal Case was entered in Case No. EP-09-CR-1567-FM(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 and 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.
- (6) This Board has jurisdiction to hear and determine this matter. Rule 7.08(G), Texas Rules of Disciplinary Procedure.
- (7) 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).
- (8) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(Z).
- (9) 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.
- (10) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

### **Disbarment**

The Board has determined that, having been convicted of Intentional Crimes and being sentenced to a term of imprisonment, Respondent should be disbarred. It is, therefore, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Luther Jones, State Bar No. 10928000, 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 is hereby revoked.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Luther Jones, 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 that Respondent, Luther Jones, not later than thirty (30) days from the date of this judgment, 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 has any legal matter pending of his disbarment, 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 Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, 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 disbarment. 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 and opposing counsel have been notified of his disbarment 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 Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that Respondent, Luther Jones, 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.

Signed this 4<sup>th</sup> day of February 2013.

  
VICE CHAIR PRESIDING