



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

**IN THE MATTER OF** §  
**JAMES WILLIAM RICHARDS IV** § **CAUSE NO. 55908**  
**STATE BAR CARD NO. 00797313** §

**JUDGMENT OF DISBARMENT**

On the 26<sup>th</sup> day of July 2019, 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, James William Richards IV. Respondent answered but did not appear. The Board finds that:

- (1) It has continuing jurisdiction of this matter pursuant to Texas Rules of Disciplinary Procedure 8.05 (“TRDP”);
- (2) The United States Air Force Court of Criminal Appeals affirmed Respondent’s criminal convictions and issued an Opinion on or about May 2, 2016;
- (3) The United States Court of Appeals for the Armed Forces affirmed Respondent’s criminal convictions and issued a Mandate with Opinion attached on or about August 7, 2017;
- (4) The Secretary of the Air Force entered an Action approving the sentence imposed in the general court-martial and executing Richards’ dismissal on or about August 27, 2018;
- (5) The United States Air Force Court of Criminal Appeals entered a Decision denying Richards’ Petition for Extraordinary Relief in the Nature of a Writ of Mandamus on October 19, 2018;
- (6) The United States Air Force Court of Criminal Appeals entered an Order

denying Richards' Motion for Leave to File, Motion to Compel Discovery and a Motion to Stay on October 22, 2018;

- (7) The United States Air Force Court of Criminal Appeals entered an Order denying Richards' pending Motion to Stay Proceedings on December 7, 2018;
- (8) Petitioner filed its Motion for Entry of Judgment of Disbarment on or about May 28, 2019, and personally served same on Respondent in accordance with TRDP 8.05;
- (9) Respondent's convictions for the commission of Intentional Crimes as defined by TRDP 1.06(V), for which he was sentenced in the General Court-Martial Order in the Department of the Air Force Headquarters Air Education and Training Command Joint Base San Antonio Randolph, Texas 78150-4544, have become final and are not subject to further direct appeal; and
- (10) Petitioner's Motion for Entry of Judgment of Disbarment should be granted.

### **Interlocutory Suspension**

On the 4th day of May 2015, the Board of Disciplinary Appeals entered an Interlocutory Order of Suspension, which included the following findings of fact and conclusions of law:

- (1) Respondent, James William Richards IV, whose State Bar of Texas Card number is 00797313, is licensed but currently on inactive status and therefore not authorized by the Supreme Court of Texas to practice law in the State of Texas;
- (2) On or about June 28, 2012, Respondent, James William Richards IV, was charged by Charge Sheet with the following: Charge I: Violation of the UCMJ, Article 134, Specifications 1 through 6—Child Pornography, Specifications 7 through 11—Sexual Abuse of a Child; Charge II: Violation of the UCMJ, Article 92, Specifications 1 through 4—Failure to Obey Order; Charge III: Violation of the UCMJ, Article 133—Conduct Unbecoming an Officer and Gentleman; and Additional Charge: Violation of the UCMJ, Article 134—Child Pornography;
- (3) On or about December 18, 2012, the Charge Sheet was amended to dismiss the following: Charge I, Specifications 2 through 6, Charge III, and Additional Charge;

- (4) On or about April 26, 2013, a General Court-Martial Order was entered in Cause No. 38346, in the Department of the Air Force Headquarters Air Education and Training Command Joint Base San Antonio Randolph, Texas 78150-4544, wherein Respondent was found guilty of Charge I: Violation of the UCMJ, Article 134, Specification 1—Child Pornography, Specifications 7 through 11—Sexual Abuse of a Child; and Charge II: Violation of the UCMJ, Article 92, Specifications 1 through 4—Failure to Obey Order and was committed to the custody of the Air Force Correction System for a term of 17 years confinement, forfeiture of all pay and allowances, and dismissal from the service;
- (5) Respondent, James William Richards IV, is the same person as the Lieutenant Colonel James W. Richards IV who is the subject of the criminal case described above;
- (6) Respondent has appealed the criminal convictions;
- (7) Respondent was personally served with the Petition for Compulsory Discipline and hearings notice by the Leavenworth County Deputy Sheriff on March 19, 2015, and the return of service was filed with the Board on April 2, 2015;
- (8) Respondent's criminal sentence is not fully probated;
- (9) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) ("TRDP");
- (10) Respondent, James William Richards IV, having been convicted of Charge I: Violation of the UCMJ, Article 134, Specification 1—Child Pornography and Specifications 7 through 11—Sexual Abuse of a Child; has been convicted of Intentional Crimes as defined by TRDP 1.06(T);
- (11) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(Z);
- (12) Having been found guilty and convicted of Intentional and Serious Crimes and having appealed such conviction, Respondent, James William Richards IV, should have his license to practice law in Texas suspended during the appeal of his criminal convictions. TRDP 8.04; and
- (13) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

### **Disbarment**

It is, therefore, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, James William Richards IV, State Bar No. 00797313, 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, James William Richards IV, 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 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 Respondent, James William Richards IV, 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 Statewide Compliance Monitor, 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. 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.

It is further ORDERED Respondent, James William Richards IV, 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 Statewide Compliance Monitor, 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, James William Richards IV, 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 certified copies of the Petition for Compulsory Discipline on file herein and 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 29<sup>th</sup> day of July 2019.

*Frank A. Bland*

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**CHAIR PRESIDING**