



BEFORE THE BOARD OF DISCIPLINARY APPEALS
Appointed By
THE SUPREME COURT OF TEXAS

JERRY W. SCARBROUGH
State Bar of Texas Card No. 17717500

v.

COMMISSION FOR LAWYER DISCIPLINE
OF THE STATE BAR OF TEXAS

§
§
§
§
§
§
§

CAUSE NO. 56375

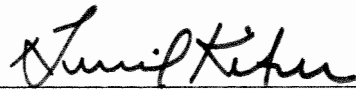
**JUDGMENT AFFIRMING EVIDENTIARY JUDGMENT IN PART AND
REVERSING IN PART AND REMANDING FOR FURTHER PROCEEDINGS**

On October 4, 2016 the Board of Disciplinary Appeals heard and considered Appellant Jerry W. Scarbrough's appeal from a Judgment of Partially Probated Suspension signed April 7, 2015 in cases A0111214896 and A0111214897 by the Evidentiary Panel of the State Bar of Texas District 08-5 Grievance Committee. Having considered the record and the briefs and having heard argument of counsel, the Board rules as follows:

1. The Commission for Lawyer Discipline concedes error on the panel finding that Respondent violated Texas Disciplinary Rules of Professional Conduct Rule 3.04(d), and the Board **REVERSES** that finding.
2. The Board **REVERSES** the finding that Respondent violated TDRPC Rule 3.04(a).
3. The Board **AFFIRMS** the findings that Respondent violated TDRPC Rules 3.03(a)(1), 8.04(a)(1), and 8.04(a)(3).

4. The Board **REVERSES** the sanction in all respects, including the award of attorney's fees to the State Bar of Texas.
5. The Board **REMANDS** the case to the evidentiary panel for additional proceedings on the allegations that Respondent violated Rules 3.04(a) and 3.04(d) and for a new sanctions hearing.

SIGNED this 5 day of October 2016.



CHAIR PRESIDING