



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

IN THE MATTER OF	§	
EMEKA M. UYAMADU	§	CAUSE NO. 46776
STATE BAR CARD NO. 00788571	§	

DEFAULT INTERLOCUTORY ORDER OF SUSPENSION

On the 23rd day of July 2010, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline of the State Bar of Texas appeared by attorney and announced ready. Respondent, Emeka M. Uyamadu, State Bar Card No. 00788571, although duly cited to appear and having notice of the hearing, failed to answer or appear and wholly made default. All questions of fact as well as all issues of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals 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, Emeka M. Uyamadu, State Bar Card number 00788571, is licensed by the Supreme Court of Texas to practice law and currently authorized to practice law in the State of Texas.
- (2) On or about March 3, 2008, Respondent was charged by Indictment with Theft, in Cause No. 1138060, styled *The State of Texas v. Emeka Michael Uyamadu*, in the 176th District Court of Harris County, Texas.

- (3) On or about July 29, 2008, Respondent was charged by Indictment with Tampering with a Witness, in Cause No. 1176507, styled *The State of Texas v. Emeka Uyamadu*, in the 176th District Court of Harris County, Texas.
- (4) On or about April 23, 2010, a Judgment of Conviction by Jury was entered in Case No. 1138060, styled *The State of Texas v. Uyamadu, Emeka Michael*, in 176th Judicial District Court of Harris County, Texas, wherein Respondent was found guilty of Theft over \$20,000 under \$100,000, a Third Degree Felony, and was sentenced to ten (10) years in the custody of the Institutional Division of the Texas Department of Criminal Justice, with that sentence being suspended and Uyamadu being placed on community supervision for ten (10) years, ordered to pay a \$5,000 fine, and to serve sixty (60) days in the Harris County Jail.
- (5) On or about April 23, 2010, a Judgment of Conviction by Jury was entered in Case No. 1176507, styled *The State of Texas v. Uyamadu, Emeka Michael*, in 176th Judicial District Court of Harris County, Texas, wherein Respondent was found guilty of Tampering with a Witness, a State Jail Felony, and was sentenced to two (2) years in the custody of the State Jail Division of the Texas Department of Criminal Justice and ordered to pay a \$3,000 fine.
- (6) Respondent, Emeka M. Uyamadu, is the same person as the Emeka Michael Uyamadu who is the subject of the Uyamadu criminal cases described above.
- (7) Respondent has appealed the criminal conviction in Cause No. 1176507 and in Cause No. 1138060.
- (8) Respondent was personally served by an authorized private process server with the Petition for Compulsory Discipline on June 16, 2010, as shown in the affidavit of service filed June 29, 2010 with the Board.

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. Texas Rules of Disciplinary Procedure Rule 7.08(G) (“TRDP”).
- (2) Respondent, Emeka M. Uyamadu, having been convicted of Theft over \$20,000 under \$100,000 and of Tampering with a Witness 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 convictions, Respondent, Emeka M. Uyamadu, should have his license to practice law in Texas suspended during the appeals of his criminal convictions. TRDP 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when one or both of the criminal appeals are final.

It is, accordingly, ORDERED, ADJUDGED, and DECREED that Respondent, Emeka M. Uyamadu, State Bar Card No. 00788571, 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, Emeka M. Uyamadu, during said suspension is prohibited 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 prior to the date of this judgment, 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, Emeka M. Uyamadu, 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, Emeka M. Uyamadu, 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, Emeka M. Uyamadu, shall immediately notify each of his current clients, 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, if any, to those respective clients or former clients 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 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 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, 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, Emeka M. Uyamadu, 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

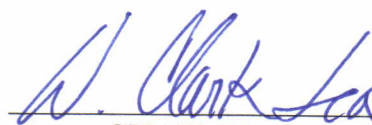
transmittal to the Clerk of the Supreme Court of Texas.

It is further ORDERED that 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 S.W.3d 46, 47 (Tex. 2007) (per curiam).

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

Signed this 26th day of July 2010.



CHAIR PRESIDING