

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

IN THE MATTER OF	§	
RONALD EUGENE REYNOLDS	§	CAUSE NO. 57004
STATE BAR CARD NO. 24025610	§	

RESPONDENT'S ORIGINAL ANSWER

TO THE BOARD OF DISCIPLINARY APPEALS:

Respondent, through Co-Counsel, files this his Respondent's Original Answer in the above styled cause and would show the Board of Disciplinary Appeals the following:

I.

General Denial

1. Respondent, Ronald Eugene Reynolds, denies each and every, all and singular, the allegations made the basis of the Petition for Compulsory Discipline on file herein and demands strict proof thereof by a preponderance of the evidence.

II.

Specific Responses

2. Respondent is without specific information to admit or deny the allegation of paragraph 1 of the First Amended Petition for Compulsory Discipline.

3. Respondent admits the allegations of paragraph 2 of the First Amended Petition for Compulsory Discipline.

4. Respondent admits the allegations of paragraphs 2 – 7, and paragraphs 8 – 12 of the First Amended Petition for Compulsory Discipline.

5. Respondent admits the allegations of paragraph 13 of the First Amended Petition for Compulsory Discipline.

6. Respondent admits the allegations of paragraphs 14 and 15 of the First Amended Petition for Compulsory Discipline.

7. Respondent is without specific information to admit or deny the allegations of paragraph 16 of the First Amended Petition for Compulsory Discipline.

8. Respondent denies the allegations of paragraph 17 of the First Amended Petition for Compulsory Discipline.

III.

Alternative Requests

9. If the Board of Disciplinary Appeals determines that Respondent has been convicted of an *intentional crime*, as defined by the *Tex.R.Dis.P.* 1.06T, Respondent would show the Board of Disciplinary Appeals that there is currently pending in the Eighth Court of Appeals a direct appeal of each conviction, Cause Nos. 08-15-372-CR, 08-15-373-CR, 08-15-374-CR, 08-15-375-CR and 08-15-376-CR, and asks this Board, in its discretion, not to suspend Respondent from the practice of law during the appeal, based upon the facts of the case and based upon the fact that Respondent's continued practice of law constitutes no danger to the public and/or Respondent's clients during the period of said direct appeal.

10. If the Board of Disciplinary Appeals determines that Respondent has been convicted of an *intentional crime* as defined by the *Tex.R.Dis.P.* 1.06T, and all direct appeals have become final, Respondent requests that the Board of Disciplinary Appeals, under the facts of this case, only suspend Respondent for a period concurrent with his active probation, pursuant to rule 8.05, *Tex.R.Dis.P.* and not disbar Respondent, in its discretion, for a good cause shown, based upon the underlying facts.

11. In addition, there is currently pending in the Harris County District Court's 270th District Court a disciplinary action based on the same operative facts and allegations as those set forth in the criminal information. Respondent believes that the Commission for Lawyer Discipline will not be able to prove the allegations in the case to a fair and impartial trier of fact.

12. Respondent would further show this Board that the criminal jury failed to hold the State of Texas to its burden of proof, and convicted Respondent of the misdemeanor charges based on emotion rather than facts. Every single state witness admitted that there was no written or testimonial evidence that proved that Respondent had knowledge that Robert Valdez, the ringleader of the barratry scheme, was illegally soliciting clients. The State's failure to prove Respondent's knowledge of the barratry scheme will prove fatal on appeal.

13. Respondent would further show this Board that there were six other attorneys arrested at the same time as Respondent, for engaging in the same conduct, and there were significantly more attorneys that we working with Robert Valdez that we never charged. To Respondent's knowledge, there has been no disciplinary action taken against the other attorneys arrested or the other attorneys working with Valdez. More specifically, one of the other attorneys arrested allegedly had more than 100 "dirty" files, while Respondent had fewer than 10 alleged. The disparate treatment of similar situated attorneys certainly calls into question the propriety of selective enforcement of both the laws of this State and the Disciplinary Rules.

14. Respondent would like the opportunity to have an Evidentiary Hearing to establish these allegations, but also recognizes that a general docket may not be the proper time and place. Respondent hereby requests a special setting to present evidence to the Board.

IV.

Prayer

15. WHEREFORE, PREMISES CONSIDERED, Respondent prays that upon final hearing hereof that the Petition for Compulsory Discipline be denied. Alternatively, Respondent prays that he not be suspended from the practice of law during his direct appeal for good cause shown based upon the facts. Alternatively, Respondent prays that if all of his direct appeals are affirmed that he be granted a suspension concurrent with his active probationary period, in the discretion of the Board of Disciplinary Appeals, for good cause shown, based upon the underlying facts.

Respectfully submitted,

WAGNON LAW GROUP, PLLC

By: /s/ Jeffery D. Wagon
Jeffery D. Wagon
State Bar No. 20661600
Federal ID No. 429400
504 E. 27th Street
Bryan, Texas 77803
Tel: (979) 703-8665
Fax: (888) 272-1590
jeff@wagnonlaw.com

**Co-Counsel for Respondent,
Ronald Eugene Reynolds**

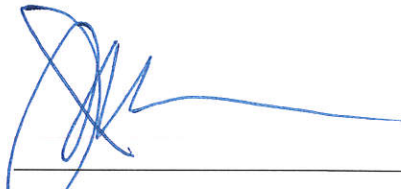
VERIFICATION

STATE OF TEXAS §

§

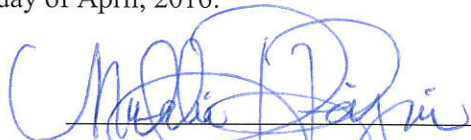
COUNTY OF BRAZOS §

BEFORE ME on the date appeared Jeffery D. Wagnon, Attorney for Respondent in the above styled case, who did depose and state that has read the foregoing Respondent's Original Answer and that the statements contained in same are true and correct to the best of his knowledge, information and belief.



Jeffery D. Wagnon

SWORN TO AND SUBSCRIBED before me on this 28 day of April, 2016.



Notary Public, State of Texas



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Respondent's Original Answer* have been served upon all interested counsel of record on the 28 day of April 2016 via electronic transmission.

/s/ Jeffery D. Wagnon

Jeffery D. Wagnon

Via ProDoc and Email

Ms. Rebecca (Beth) Stevens

Assistant Disciplinary Counsel

State Bar of Texas

P.O. Box 21487, Capitol Station

Austin, Texas 78711

Email: bstevens@texasbar.com