

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

August 12, 2019

Recipients Listed Below

Dear Madam/Sir:

Enclosed is a copy of a self-explanatory certified order entered by this Court against attorney:


Daniel Lucius Brown [TX Bar #03108300]  
1015 Central Pkwy N, Ste 130  
San Antonio, TX 78232

Mr. Brown did not respond to the order which became final on August 5, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By

  
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Nathan L. Hecht (c/o Clerk of Court, SCTX)  
Hon. Orlando L. Garcia, Chief Judge WTX  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. E. A. Appfel III, State Bar of Texas  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

U. S. COURT OF APPEALS  
FILED

JUL 02 2019

FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

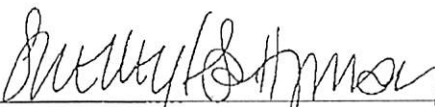
IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

ORDER

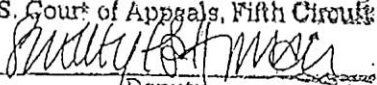
On May 28, 2019, the Supreme Court of Texas issued an order entitled "In The Matter of Daniel Lucius Brown" accepting Daniel Lucius Brown's resignation in lieu of discipline. At the direction of the Chief Judge, IT IS ORDERED that Daniel Lucius Brown's name shall be removed from the roll of attorneys admitted to practice in this court effective 35 days from the date of this order unless the court receives prior to that date a response from Mr. Brown showing cause why his right to practice before this court should not be terminated.

See FRAP 46(b).

LYLE W. CAYCE  
Clerk,  
United States Court of Appeals for the Fifth Circuit

By   
Shelley E. Saltzman, Deputy Clerk

FOR THE COURT - BY DIRECTION  
Address:  
Clerk of Court, U.S. Court of Appeals for the Fifth Circuit  
F. Edward Hebert Building  
600 S. Maestri Place  
New Orleans, LA 70130

true copy  
Test:  
Clerk, U. S. Court of Appeals, Fifth Circuit  
By:   
Deputy  
New Orleans, Louisiana

JUL 02 2019

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

August 12, 2019

Recipients Listed Below

Dear Madam/Sir:

Enclosed is a copy of a self-explanatory certified order entered by this Court against attorney:


Casie Lynn Gotro [TX Bar #24048505]  
1806 Hardy Street  
Houston, TX 77026

Ms. Gotro did not respond to the order which became final on August 5, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By

  
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Nathan L. Hecht (c/o Clerk of Court, SCTX)  
Hon. Lee H. Rosenthal, Chief Judge STX  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. E. A. Apffel III, State Bar of Texas  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT


U. S. COURT OF APPEALS  
**FILED**  
JUL 02 2019  
FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

ORDER

On April 5, 2019 the District 4 Grievance Committee, Evidentiary Panel 4-1, State Bar of Texas, issued an order of suspension entitled "Commission for Lawyer Discipline v. Casie Lynn Gotro." At the direction of the Chief Judge, IT IS ORDERED that Casie Lynn Gotro be suspended from practice in this court. This suspension will become effective 35 days from the date of this order unless, prior to that date, Ms. Gotro submits a response showing cause why her right to practice before this court should not be suspended. If, after this suspension goes into effect, Ms. Gotro is reinstated as a member in good standing of the Texas Bar, she may apply to the clerk of court for authorization by the Chief Judge to resume practice as a member of the bar of this court.

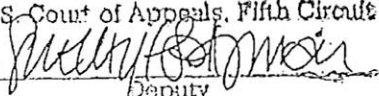
See FRAP 46(b).

LYLE W. CAYCE  
Clerk, United States Court of Appeals for the Fifth Circuit

By:   
Shelley E. Saltzman, Deputy Clerk

FOR THE COURT - BY DIRECTION

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New Orleans, Louisiana

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*United States Court of Appeals*

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August 12, 2019

Recipients Listed Below

Dear Madam/Sir:

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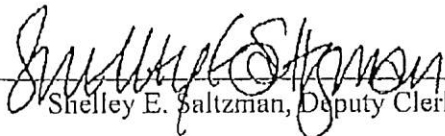
T. Wesley Holmes [TX Bar No. 09908495]  
5819 Forest Lane  
Dallas, TX 75230

Mr. Holmes did not respond to the order which became final on August 5, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By

  
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Nathan L. Hecht (c/o Clerk of Court, SCTX)  
Hon. Barbara M. G. Lynn, Chief Judge NTX  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. E. A. Apffel III, State Bar of Texas  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

U. S. COURT OF APPEALS  
FILED

JUL 02 2019

FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

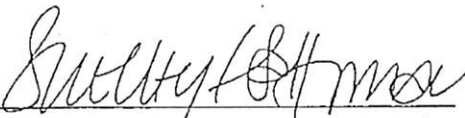
IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

ORDER

On May 8, 2019 the District 6 Grievance Committee, Evidentiary Panel 6-3, State Bar of Texas, issued an order of suspension entitled "Commission for Lawyer Discipline v. T. Wesley Holmes." At the direction of the Chief Judge, IT IS ORDERED that T. Wesley Holmes be suspended from practice in this court. This suspension will become effective 35 days from the date of this order unless, prior to that date, Mr. Holmes submits a response showing cause why his right to practice before this court should not be suspended. If, after this suspension goes into effect, Mr. Holmes is reinstated as a member in good standing of the Texas Bar, he may apply to the clerk of court for authorization by the Chief Judge to resume practice as a member of the bar of this court.

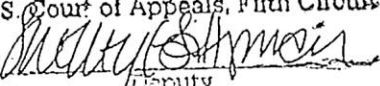
See FRAP 46(b).

LYLE W. CAYCE  
Clerk, United States Court of Appeals for the Fifth Circuit

By   
Shelley E. Saltzman, Deputy Clerk

FOR THE COURT - BY DIRECTION

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Clerk of Court, U.S. Court of Appeals for the Fifth Circuit  
F. Edward Hebert Building  
600 S. Maestri Place  
New Orleans, LA 70130

True copy  
Test:  
Clerk, U. S. Court of Appeals, Fifth Circuit  
By:   
Deputy  
New Orleans, Louisiana

JUL 02 2019

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

August 12, 2019

Recipients Listed Below

Dear Madam/Sir:

Enclosed is a copy of a self-explanatory certified order entered by this Court against attorney:

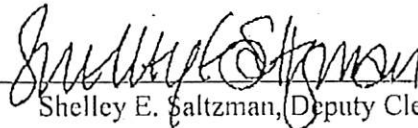
Patrick Lanier [TX Bar #11933500]  
Reg. #68126-280  
FCI Bastrop  
P.O. Box 1010  
Bastrop, TX 78602

Mr. Lanier did not respond to the order which became final on August 5, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By



Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Nathan L. Hecht (c/o Clerk of Court, SCTX)  
Hon. Orlando L. Garcia, Chief Judge WTX  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. E. A. Apffel III, State Bar of Texas  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS  
**FILED**

JUL 02 2019

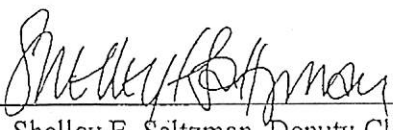
FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

ORDER

On March 26, 2019, the Supreme Court of Texas issued an order entitled "In The Matter of Patrick Lanier" accepting Patrick Lanier's resignation in lieu of discipline. At the direction of the Chief Judge, IT IS ORDERED that Patrick Lanier's name shall be removed from the roll of attorneys admitted to practice in this court effective 35 days from the date of this order unless the court receives prior to that date a response from Mr. Lanier showing cause why his right to practice before this court should not be terminated.

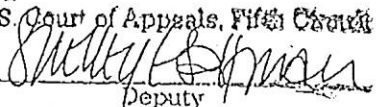
See FRAP 46(b).

LYLE W. CAYCE  
Clerk,  
United States Court of Appeals for the Fifth Circuit

By   
Shelley E. Saltzman, Deputy Clerk

FOR THE COURT - BY DIRECTION

Address:  
Clerk of Court, U.S. Court of Appeals for the Fifth Circuit  
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New Orleans, LA 70130

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Clerk, U. S. Court of Appeals, Fifth Circuit  
By:   
Deputy  
New Orleans, Louisiana.

JUL 02 2019



*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
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NEW ORLEANS, LA 70130

August 12, 2019

Recipients Listed Below

Dear Madam/Sir:

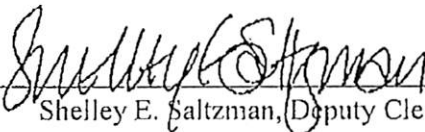
Enclosed is a copy of a self-explanatory certified order entered by this Court against attorney:

Victor R. Loras III, ID#00743866 [LA Bar #31239]  
River Correctional Center - LaSalle  
26362 LA Hwy 15  
Ferriday, LA 71334

Mr. Loras did not respond to the order which became final on August 5, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By   
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Bernette J. Johnson (c/o Clerk of Court, SCLA)  
Hon. Shelly D. Dick, Chief Judge MLA  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. Charles B. Plattsmier  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

U. S. COURT OF APPEALS  
**FILED**

JUL 02 2019

FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

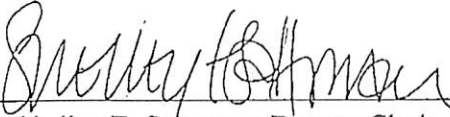
IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

ORDER

On June 17, 2019, the Supreme Court of Louisiana entered an order of permanent disbarment entitled "In Re: Victor Roy Loras, III." At the direction of the Chief Judge, IT IS ORDERED that Victor Roy Loras, III's name shall be removed from the roll of attorneys admitted to practice in this court effective 35 days from the date of this order unless the court receives prior to that date a response from Mr. Loras showing cause why his right to practice before this court should not be terminated.

See FRAP 46(b).

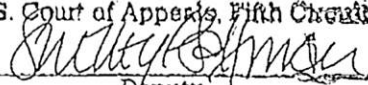
LYLE W. CAYCE  
Clerk,  
United States Court of Appeals for the Fifth Circuit

By   
Shelley E. Sartzman, Deputy Clerk

FOR THE COURT - BY DIRECTION

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Clerk of Court, U.S. Court of Appeals for the Fifth Circuit  
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Clerk, U. S. Court of Appeals, Fifth Circuit  
By:   
Deputy  
New Orleans, Louisiana

JUL 02 2019

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

August 12, 2019

Recipients Listed Below

Dear Madam/Sir:

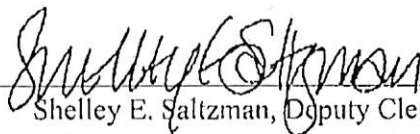
Enclosed is a copy of a self-explanatory certified order entered by this Court regarding attorney:

Daniel James Stanford [LA Bar #22639]  
Reg. #16066-035  
UPS Pollock  
P.O. Box 2099  
Pollock LA 71467

Mr. Stanford did not respond to the order which became final on August 5, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By   
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Bernette J. Johnson (c/o Clerk of Court, SCLA)  
Hon. S. Maurice Hicks Jr., Chief Judge WLA  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. Charles B. Plattsmier  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

U. S. COURT OF APPEALS  
FILED

JUL 02 2019

FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

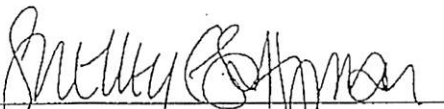
IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

ORDER

On May 28, 2019, the Supreme Court of Louisiana entered an order of disbarment entitled "In Re: Daniel James Stanford." At the direction of the Chief Judge, IT IS ORDERED that Daniel James Stanford's name shall be removed from the roll of attorneys admitted to practice in this court effective 35 days from the date of this order unless the court receives prior to that date a response from Mr. Stanford showing cause why his right to practice before this court should not be terminated.

See FRAP 46(b).

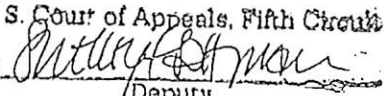
LYLE W. CAYCE  
Clerk,  
United States Court of Appeals for the Fifth Circuit

By   
Shelley E. Saltzman, Deputy Clerk

FOR THE COURT - BY DIRECTION

Address:

Clerk of Court, U.S. Court of Appeals for the Fifth Circuit  
F. Edward Hebert Building  
600 S. Maestri Place  
New Orleans, LA 70130

true copy  
Test:  
Clerk, U. S. Court of Appeals, Fifth Circuit  
By:   
Deputy  
New Orleans, Louisiana

JUL 02 2019

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

August 29, 2019

Recipients Listed Below

Dear Madam/Sir:

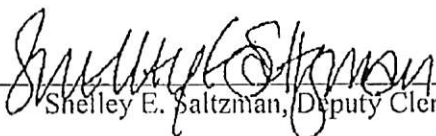
Enclosed is a copy of a self-explanatory certified order entered by this Court regarding attorney:

Charles Gary Wainwright, Esq. [LA Bar #19858]  
C. Gary Wainwright LLC  
2739 Tulane Ave  
New Orleans, LA 70119

Very truly yours,

LYLE W. CAYCE, Clerk

By

  
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Bernette J. Johnson (c/o Clerk of Court, SCLA)  
Hon. Nannette Jolivet Brown, Chief Judge ELA  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. Charles B. Plattsmier  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS  
**FILED**

AUG 29 2019

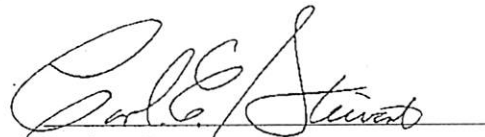
FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

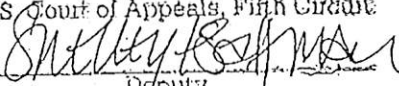
ORDER

On November 26, 2012, this court suspended Charles Gary Wainwright from practice as a member of the bar of the Fifth Circuit. Mr. Wainwright now moves for reinstatement. He is currently an active member in good standing of the Louisiana State Bar.

IT IS ORDERED that Charles Gary Wainwright's petition for reinstatement is GRANTED. The Clerk of Court is directed to make the appropriate entry on the roll of attorneys Charles Gary Wainwright may resume practice as a member of the bar of this court.

Done this 24 day of August 2019.

  
Carl E. Stewart  
Chief Judge

True copy  
Test:  
Clerk, U.S. Court of Appeals, Fifth Circuit  
By:   
Deputy  
New Orleans, Louisiana

AUG 29 2019

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

September 17, 2019

Recipients Listed Below

Dear Madam/Sir:

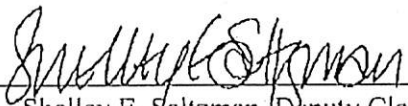
Enclosed is a copy of a self-explanatory certified order entered by this Court against attorney:

Peter B. Plotts, III [TX Bar # 16074100]  
P.O. Box 6447  
Bryan, TX 77803

Mr. Plotts did not respond to the order which became final on August 29, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By   
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Nathan L. Hecht (c/o Clerk of Court, SCTX)  
Hon. Lee H. Rosenthal, Chief Judge STX  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. E. A. Apffel III, State Bar of Texas  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS  
**FILED**

JUL 25 2019

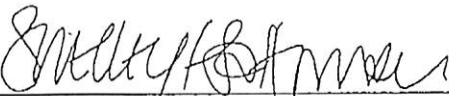
FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

ORDER

On May 1, 2019, the Evidentiary Panel for State Bar District No. 8-2, State Bar of Texas, issued a final judgment of disbarment entitled "Commission for Lawyer Discipline vs. Peter Breece Plotts, III". At the direction of the Chief Judge, IT IS ORDERED that Peter Breece Plotts, III's name shall be removed from the roll of attorneys admitted to practice in this court effective 35 days from the date of this order unless the court receives prior to that date a response from Mr. Plotts showing cause why his right to practice before this court should not be terminated.

See FRAP 46(b).

LYLE W. CAYCE  
Clerk,  
United States Court of Appeals for the Fifth Circuit

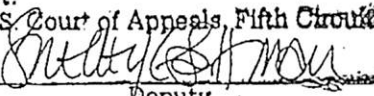
By:   
Shelley E. Saltzman, Deputy Clerk

FOR THE COURT - BY DIRECTION

Address:

Clerk of Court, U.S. Court of Appeals for the Fifth Circuit  
F. Edward Hebert Building  
600 S. Maestri Place  
New Orleans, LA 70130

^ true copy

Test:  
Clerk, U S Court of Appeals, Fifth Circuit  
By:   
Deputy  
New Orleans, Louisiana

JUL 25 2019



*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

September 17, 2019

Recipients Listed Below

Dear Madam/Sir:

Enclosed is a copy of a self-explanatory certified order entered by this Court against attorney:

Brett A. Pruitt [TX Bar # 16367800]  
20770 US Hwy 281 N, Ste 108-487  
San Antonio, TX 78258

Mr. Pruitt did not respond to the order which became final on August 29, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By

  
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Nathan L. Hecht (c/o Clerk of Court, SCTX)  
Hon. Orlando L. Garcia, Chief Judge WTX  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. E. A. Apffel III, State Bar of Texas  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

IN THE UNITED STATES COURT OF APPEALS

U. S. COURT OF APPEALS

FILED

FOR THE FIFTH CIRCUIT

JUL 25 2019

ORDER

FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

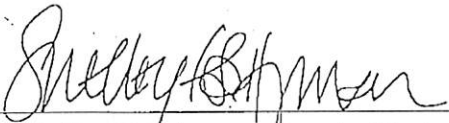
On May 10, 2019, the District 10 Grievance Committee, Evidentiary Panel 10-4, State Bar of Texas, issued a judgment of disbarment entitled "Commission for Lawyer Discipline vs. Brett A. Pruit". At the direction of the Chief Judge, IT IS ORDERED that Brett A. Pruit's name shall be removed from the roll of attorneys admitted to practice in this court effective 35 days from the date of this order unless the court receives prior to that date a response from Mr. Pruit showing cause why his right to practice before this court should not be terminated.

See FRAP 46(b).

LYLE W. CAYCE

Clerk,

United States Court of Appeals for the Fifth Circuit

By:   
Shelley E. Saltzman, Deputy Clerk

FOR THE COURT - BY DIRECTION

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Clerk of Court, U.S. Court of Appeals for the Fifth Circuit

F. Edward Hebert Building

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New Orleans, LA 70130

true copy

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Clerk, U. S. Court of Appeals, Fifth Circuit

By:   
Deputy

New Orleans, Louisiana

JUL 25 2019

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

September 17, 2019

Recipients Listed Below

Dear Madam/Sir:

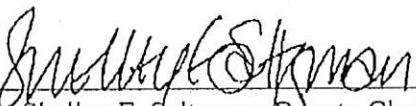
Enclosed is a copy of a self-explanatory certified order entered by this Court against attorney:

Daniel Bradley Mahan  
527 Highland Park  
Tupelo, MS 38801

Mr. Mahan did not respond to the order which became final on August 26, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By   
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Michael K. Randolph (c/o Clerk of Court, SCMS)  
Hon. Sharion Aycock, Chief Judge NMS  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. Adam Kilgore, MS Bar  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS  
**FILED**

JUL 22 2019


ORDER

FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

On June 26, 2019 the Supreme Court of Mississippi issued an order of suspension entitled "The Mississippi Bar v. Daniel Bradley Mahan." At the direction of the Chief Judge, IT IS ORDERED that Daniel Bradley Mahan be suspended from practice in this court. This suspension will become effective 35 days from the date of this order unless, prior to that date, Mr. Mahan submits a response showing cause why his right to practice before this court should not be suspended. If, after this suspension goes into effect, Mr. Mahan is reinstated as a member in good standing of the Mississippi Bar, he may apply to the clerk of court for authorization by the Chief Judge to resume practice as a member of the bar of this court.

See FRAP 46(b).

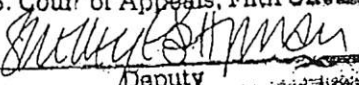
LYLE W. CAYCE  
Clerk, United States Court of Appeals for the Fifth Circuit

By   
Shelley E. Saltzman, Deputy Clerk

FOR THE COURT - BY DIRECTION

Address:

Clerk of Court, U.S. Court of Appeals for the Fifth Circuit  
F. Edward Hebert Building  
600 S. Maestri Place  
New Orleans, LA 70130

and copy  
Test:  
Clerk, U. S. Court of Appeals, Fifth Circuit  
By:   
Deputy  
New Orleans, Louisiana

JUL 22 2019

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

September 17, 2019

Recipients Listed Below

Dear Madam/Sir:

Enclosed is a copy of a self-explanatory certified order entered by this Court against attorney:

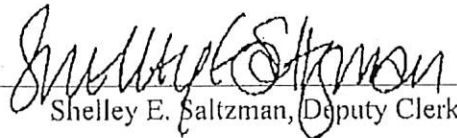
Mark G. Simmons [LA Bar # 19995]  
334 St. Joseph Street  
Baton Rouge, LA 70802

Mr. Simmons did not respond to the order which became final on August 26, 2019.

Very truly yours,

LYLE W. CAYCE, Clerk

By

  
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Bernette J. Johnson (c/o Clerk of Court, SCLA)  
Hon. Shelly D. Dick, Chief Judge MLA  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Mr. Charles B. Plattsmier  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

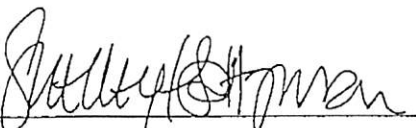
U. S. COURT OF APPEALS  
**FILED**  
JUL 22 2019  
FIFTH CIRCUIT  
LYLE W. CAYCE, CLERK

ORDER

On June 26, 2019 the Supreme Court of Louisiana issued an order of suspension entitled "In Re: Mark G. Simmons." At the direction of the Chief Judge, IT IS ORDERED that Mark G. Simmons be suspended from practice in this court. This suspension will become effective 35 days from the date of this order unless, prior to that date, Mr. Simmons submits a response showing cause why his right to practice before this court should not be suspended. If, after this suspension goes into effect, Mr. Simmons is reinstated as a member in good standing of the Louisiana Bar, he may apply to the clerk of court for authorization by the Chief Judge to resume practice as a member of the bar of this court.

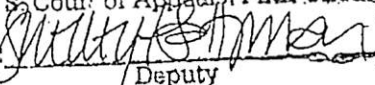
See FRAP 46(b).

LYLE W. CAYCE  
Clerk, United States Court of Appeals for the Fifth Circuit

By   
Shelley E. Saltzman, Deputy Clerk

FOR THE COURT - BY DIRECTION

Address:  
Clerk of Court, U.S. Court of Appeals for the Fifth Circuit  
F. Edward Hebert Building  
600 S. Maestri Place  
New Orleans, LA 70130

true copy  
Fast:  
Clerk, U. S. Court of Appeals, Fifth Circuit  
By:   
Deputy  
New Orleans, Louisiana

JUL 22 2019

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7799  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

September 26, 2019

Recipients Listed Below

Dear Madam/Sir:

Enclosed is a copy of a self-explanatory certified order entered by this Court on September 6, 2019 against attorney:

Robert L. Booker  
Booker & Associates  
PO Box 255  
Downtown Madison Station  
Clarksville, TN 37041

Very truly yours,

LYLE W. CAYCE, Clerk

By

  
Shelley E. Saltzman, Deputy Clerk

Enclosure

Hon. Jeffrey S. Bivins (c/o Clerk of Court, SCTN)  
Hon. Matthew B. Durrant (c/o Clerk of Court, SCUT)  
Hon. Waverly D. Crenshaw Jr., Chief Judge MTN  
Hon. James Rodney Gilstrap, Chief Judge ETX  
All District Court Clerks of the Fifth Circuit  
Ms. Sheila K. Booth  
Mr. Rob Colwell  
Ms. Monica Menier  
Mr. Danny Miller  
Ms. Shallanda Clay  
Ms. Sandy Garrett, Board of Professional Responsibility, SCTN  
Mr. Billy L. Walker, Office of Professional Conduct, UT Bar  
Mr. David J. Smith, Clerk, 11<sup>th</sup> Circuit

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

\_\_\_\_\_  
No. 19-98003  
\_\_\_\_\_

In re: Robert L. Booker

*this copy*  
Test:  
Clerk, U S. Court of Appeals, Fifth Circuit  
By: *[Signature]*  
Deputy  
New Orleans, Louisiana

SEP 26 2019

\_\_\_\_\_  
ORDER

On September 24, 2014, and again on November 20, 2015, the United States District Court for the Eastern District of Texas entered orders of suspension entitled "In the Matter of Robert L. Booker." The rulings were based, in part, on the court's determination that Booker had not fully disclosed prior suspensions from the Third Judicial District Court of Utah and the United States Court of Appeals for the Ninth Circuit, or disclosed a public censure from the Board of Professional Responsibility of the Supreme Court of Tennessee, in his application to the Eastern District's bar. The record of that proceeding reflects that the Eastern District further determined that Booker had not disclosed any prior discipline in his August 2012 Application and Oath for Admission to the United States Court of Appeals for the Fifth Circuit. On the Fifth Circuit's form, Booker checked "No" in response to the question:

Have you been disbarred, suspended from practice or received a reprimand pertaining to your conduct or fitness to practice law from any court, department, bureau or commission of any State or the United States? Are any such proceedings or allegations pending against you? If so, attach a detailed explanation containing dates and circumstances.

The suspension ordered by the Eastern District was affirmed on appeal. *In re: Robert Louis Booker*, 624 Fed. App'x. 319 (Mem) (5th Cir. 2015).

Booker was suspended in Utah in 2003 and in the Ninth Circuit in 2005, and was publicly censured in Tennessee in 2007. As noted previously, he identified no prior discipline on his August 2012 application to the Fifth Circuit.

Federal Rule of Appellate Procedure 46 provides that an attorney is subject to discipline for conduct unbecoming a member of the court's bar or for failure to comply with a court rule. The member must be given an opportunity to show cause why he should not be disciplined, and must be given a hearing, if requested.



On March 29, 2019, this court issued to Booker an order to show cause why this court should not take disciplinary action against him, including suspension or removal from the roll of attorneys authorized to practice before this court.

Booker responded asking that the court not impose discipline and that he be permitted to amend his application to this court. He does not request a hearing. Booker acknowledges that information about prior discipline was omitted from his 2012 application to this court, but relates that he was very sick in 2012 and that fellow attorneys and church members were assisting him with his law practice. At one point in his response he asserts that the form was completed by someone else (he does not know by whom) and that he does not recall signing it. He also states that he "accept[s] accountability for having signed that document." He later asserts both that he "assumes that he signed the Attorney's Oath/Affirmation" and that "even if the *Admissions Form* was signed by anyone other than Undersigned Attorney, Attorney is certain that he must have requested and/or authorized any execution upon his behalf, if necessary."

The court has thoroughly considered Booker's response to the show cause order. He does not explain why, upon realizing at least by 2014 in the disciplinary proceeding pending before the Eastern District that the application submitted to this court was inaccurate, he did not take steps to notify this court of the form's inaccuracies and submit a corrected application. (The district court's April 25, 2014 show-cause order specifically references Booker's failure to report his prior discipline on his 2012 application to the Fifth Circuit.)

Additionally, Booker renewed his membership in this court's bar in August 2017. While our court does not require an attorney to complete a new application and oath for admission in order to renew his membership, Booker would have known that the information he provided previously was not accurate. The oath that Booker signed in his application states "I further swear or affirm all responses in my personal statement, including any attachments thereto, are true and correct to the best of my knowledge, information and belief."

There is no specific Fifth Circuit rule directing attorneys to correct inaccurate submissions to the court as soon as they become aware of them. However, Booker owes a duty of candor to the court. Model Rule of Professional Conduct 8.1 provides:

An applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not:

(a) knowingly make a false statement of material fact; or

(b) fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter . . . .

*See also, U.S. v. Shaffer Equipment Co.*, 11 F.3d 450 (4th Cir. 1993) (lawyers, as officers of the court, are held to a general duty of candor and truthfulness); *Eagen by Keith v. Jackson, et al.*, 855 F.Supp. 765, 790 (E.D. Pa. 1994) (an attorney, as an officer of the court, has an overarching duty of candor to the court.)

Booker became aware at least by 2014 that the information in his 2012 application to this court was not "true and correct" as he attested in his oath, and did not correct misinformation provided to this court either then or in 2017 when he renewed his membership to this court's bar. Only after receiving this court's order to show cause did he offer to correct his application. Booker has thus demonstrated conduct unbecoming a member of this court's bar.

Accordingly, IT IS ORDERED that Robert L. Booker is removed from the roll of attorneys admitted to practice as a member of the bar of this court.

A handwritten signature in cursive script, reading "Carl E. Stewart", written over a horizontal line.

CARL E. STEWART, Chief Judge