

CAUSE NO. 202012065

RECEIPT NO. 848574

0.00

MTA

TR # 73729438

PLAINTIFF: COMMISSION FOR LAWYER DISCIPLINE (A COMMITTEE OF THE STATE BAR OF vs.

In The 189th Judicial District Court of Harris County, Texas 189TH DISTRICT COURT Houston, TX

DEFENDANT: LEONARD, CANDICE LEE

CITATION

THE STATE OF TEXAS County of Harris

TO: LEONARD, CANDICE LEE 16807 PINEMOOR WAY HOUSTON TX 77058

Attached is a copy of ORIGINAL DISCIPLINARY PETITION AND ORDER OF THE SUPREME COURT OF TEXAS

This instrument was filed on the 21st day of February, 2020, in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This citation was issued on 27th day of February, 2020, under my hand and seal of said Court.

Issued at request of: NICHOLS, EDWARD WILLIAM II 4801 WOODWAY SUITE 315W HOUSTON, TX 77056 Tel: (713) 758-8200 Bar No.: 24077666



Handwritten signature of Marilyn Burgess

MARILYN BURGESS, District Clerk Harris County, Texas 201 Caroline, Houston, Texas 77002 (P.O. Box 4651, Houston, Texas 77210)

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OFFICER/AUTHORIZED PERSON RETURN

Came to hand at ___ o'clock ___ .M., on the ___ day of _____, _____.

Executed at (address) _____ in _____ County at ___ o'clock ___ .M., on the ___ day of _____,

_____, by delivering to _____ defendant, in person, a

true copy of this Citation together with the accompanying ___ copy(ies) of the Petition attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this ___ day of _____, _____.

FEE: \$ _____

_____ of _____ County, Texas

Affiant

By _____
Deputy

On this day, _____, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this ___ day of _____, _____.

Notary Public

2020-12065 / Court: 189

CAUSE NO. _____

COMMISSION FOR LAWYER DISCIPLINE, Petitioner,	§	IN THE DISTRICT COURT OF
vs.	§	
CANDICE LEE LEONARD, Respondent.	§	HARRIS COUNTY, TEXAS
	§	_____ JUDICIAL DISTRICT

(State Bar case no. 201807872)

ORIGINAL DISCIPLINARY PETITION

TO THE HONORABLE SPECIALLY ASSIGNED JUDGE:

Comes now Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas, and would respectfully show unto the Court as follows:

DISCOVERY CONTROL PLAN

1. Because Petitioner seeks a sanction pursuant to Rule 1.06FF of the Texas Rules of Disciplinary Procedure and, therefore, this case is not governed by the expedited actions provisions of Rule 169 of the Texas Rules of Civil Procedure (TRCP), Petitioner intends that discovery be conducted under a Level 2 Discovery Control Plan pursuant to TRCP 190.1 and 190.3.

PARTIES

2. Petitioner is the Commission for Lawyer Discipline, a committee of the State Bar of Texas.

3. Respondent is Candice Lee Leonard, Texas Bar Card No. 24005603, a licensed attorney and a member of the State Bar of Texas. Respondent may be served at 16807 Pinemoor Way, Houston, Texas 77058.

NATURE OF PROCEEDING

4. Petitioner brings this disciplinary action pursuant to the State Bar Act, Texas Government Code Annotated §81.001, *et seq.* (Vernon 2003); the Texas Disciplinary Rules of Professional Conduct; and the Texas Rules of Disciplinary Procedure. The Complaint that forms the basis of this cause of action was filed on or after June 1, 2018.

VENUE

5. Respondent's principal place of practice is Harris County, Texas; therefore, venue is appropriate in Harris County, Texas, pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure.

PROFESSIONAL MISCONDUCT

6. The acts and omissions of Respondent, as hereinafter alleged, constitute professional misconduct as defined by Rule 1.06CC of the Texas Rules of Disciplinary Procedure.

CAUSE OF ACTION

7. On or about June 30, 2017, Respondent appeared on behalf of Kathy and Judy Jones in a contested guardianship matter regarding their mother, May Jones, in Denton County, Texas.

8. On or about July 17, 2017, Respondent filed a Petition for Equitable and Statutory Bill of Review ("Bill of Review" as an ancillary proceeding to the original guardianship matter.

9. On or about April 29, 2019, the Court dismissed the Bill of Review. The Court found that the Bill of Review and the pleadings and actions arising out of the Bill of Review were groundless and filed in bad faith with the intention to annoy, alarm, and abuse. The Court further found that there was no basis in law or fact for the pleadings.

10. On or about March 7, 2018, Respondent filed a Motion to Recuse and/or Disqualify the presiding judge, Bonnie Robison. On or about June 29, 2018, the motion was denied by a visiting judge. The Court found that Respondent's motion lacked merit and was filed in bad faith for the purpose of harassment. The Court also found that Respondent's motion was brought for the purpose of unnecessary delay and without sufficient cause.

11. On or about August 26, 2017 Respondent sent an electronic message (e-mail) which threatened to present disciplinary charges against opposing counsel if opposing counsel proceeded with filing sanctions against Respondent and her clients in regards to the Bill of Review.

12. On or about March 7, 2018, Respondent sent an e-mail to the parties and court staff which threatened to file a lawsuit against the Guardian ad Litem, Virginia Hammerle, as well as the presiding judge, Bonnie Robison, if a scheduled hearing went forward.

13. On or about May 7, 2018, Respondent sent an e-mail regarding details of the proceedings to approximately sixty recipients, including members of media organizations and several non-parties.

14. Respondent's actions throughout her representation increased the cost and burdens of the case and unreasonably delayed the resolution of the matter.

RULE VIOLATIONS

15. The acts and/or omissions of Respondent described above constitute conduct in violation of Rules 3.01, 3.02, 3.07(a), 4.04(a), and 4.04(b)(1) of the Texas Disciplinary Rules of Professional Conduct.

COMPLAINT

16. The Complaint that forms the basis of this cause of action was brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Virginia Nelson Hammerle's filing of a grievance on or about December 10, 2018.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Petitioner, the Commission for Lawyer Discipline, respectfully prays that this Court discipline Respondent, Candice Lee Leonard, by reprimand, suspension, or disbarment, as the facts shall warrant, order restitution, and grant all other relief, general or specific, at law or in equity, including injunctive relief, to which Petitioner may show itself to be justly entitled, including, without limitation, direct expenses and attorneys' fees.

Respectfully submitted,

STATE BAR OF TEXAS

SEANA WILLING
Chief Disciplinary Counsel


.....
E. WILLIAM NICHOLS II
State Bar No. 24077666
Assistant Disciplinary Counsel
4801 Woodway Drive, Suite 315-W
Houston, Texas 77056
Telephone: 713-758-8200
Facsimile: 713-758-8292
E-mail: wnichols@texasbar.com
**ATTORNEYS FOR PETITIONER,
COMMISSION FOR LAWYER
DISCIPLINE**

2020-12065 / Court: 189

2/21/2020 1:27:25 PM
Marilyn Burgess - District Clerk
Harris County
Envelope No: 41047168
By: SALGADO, CAROLINA
Filed: 2/21/2020 1:27:25 PM

ORDER OF THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9016

Appointment of a District Judge to Preside
in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable Steve L. Parkhurst, Judge of the 260th District Court, Orange County, Texas, to preside in the Disciplinary Action styled:

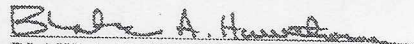
Commission for Lawyer Discipline v. Candice Lee Leonard (201807872)

to be filed in a District Court of Harris County, Texas.

The Chief Disciplinary Counsel shall promptly forward to the District Clerk of Harris County, Texas, a copy of the Disciplinary Petition and this Order for filing pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

As ordered by the Supreme Court of Texas, in chambers,

With the Seal thereof affixed at the City of
Austin, this day 14th of February, 2020.


BLAKE A. HAWTHORNE, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 20-9016, is also an assignment by the Chief Justice of the Supreme Court of Texas pursuant to Texas Government Code § 74.057.

Signed this 14th day of February, 2020.

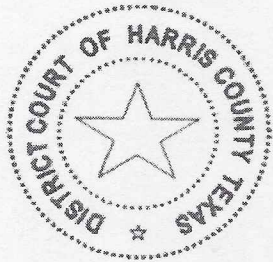


Nathan L. Hecht
Chief Justice

Certified Document Number: 89553769 - Page 2 of 2

Misc. Docket No. 20-9016

Page 2



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this February 27, 2020

Certified Document Number: 89553769

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com
