

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

October 1, 2012

Otomel Cantu
P.O. Box 820251
Houston, Texas 77282

RE: Case No. H0071133356 [Otomel Cantu], *Commission for Lawyer Discipline v. William G. Gammon*, Before the Evidentiary Panel of the State Bar District 4E Grievance Committee

Dear Mr. Cantu:

Per our telephone conversation earlier today, I have enclosed a copy of the Interlocutory Order of Suspension against William Gammon.

Thank you for your attention to this matter. If you have any questions or need additional information, please contact the undersigned at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Breaux Saucedo", written over a horizontal line.

Shannon Breaux Saucedo
Assistant Disciplinary Counsel

SBS/mos

Encl.

In re William George Gammon III

On July 26, 2012, the Board of Disciplinary Appeals signed an agreed interlocutory order of suspension against Houston attorney **William George Gammon III**, 51, State Bar of Texas Card No. 07611300. On or about December 14, 2011, Gammon pled guilty to one count of Possession of Child Pornography in violation of 18 U.S.C. §§2252A(a)(5)(B) and 2252A(b)(2), AN Intentional Crime as defined in the Texas Rules of Disciplinary Procedure, in case number H-10-340 styled, *The United States of America v. William George Gammon*, in the United States District Court for the Southern District of Texas, Houston Division. Gammon was sentenced to 48 months in the custody of the United States Bureau of Prisons Upon his release. Gammon shall be supervised for life with special conditions as a sex offender. He was also ordered to pay an assessment of \$100.00 and restitution in the amount of \$375,000.00. Gammon has appealed his criminal conviction The Board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA cause number 50072.

This action does not refer to Austin attorney William B. Gammon, 62, State Bar of Texas Card No.07611280.

BODA Cause Number:

50072

BODA Decision:

Agreed Interlocutory Suspension

Date Filed:

Wed. 03/07/2012

Type of Matter:

Compulsory Discipline

Docket Date:

Fri. 04/20/2012

Attached File(s): GammonAgreedInterlocutorySuspension.pdf<http://www.txboda.org/sites/default/files/pdfs/GammonAgreedInterlocutorySuspension.pdf>**SBOT Card No.:**

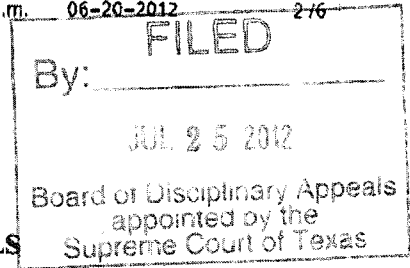
07611300

State Bar Page Link:William George Gammon III (<http://www.texasbar.com/AM/Template.cfm?>

Section=Advanced_Search&template=/Customsource/MemberDirectory/MemberDirectoryDetail.cfm&ContactID=224011)

Jurisdiction:

Texas



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

IN THE MATTER OF	§	
WILLIAM GEORGE GAMMON, III	§	CAUSE NO. 50072
STATE BAR CARD NO. 07611300	§	

AGREED INTERLOCUTORY ORDER OF SUSPENSION

On this day, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and Respondent, William George Gammon, III, appeared by attorney as indicated by their respective signatures below and announced that they agree to the findings of fact, conclusions of law and orders set forth below. The Board of Disciplinary Appeals, having reviewed the file and in consideration of the agreement of the parties, 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, William George Gammon, III, whose State Bar Card number is 07611300, is licensed and authorized by the Supreme Court of Texas to practice law in the State of Texas.
- (2) On or about May 26, 2010, Respondent was charged by Criminal Indictment with Count One – Possession of Child Pornography, in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2252A(b)(2) in Cause No. H-10-340, styled *United States of America v. William George Gammon*, in the United States District Court for the Southern District of Texas, Houston Division.
- (3) On or about December 14, 2011, a Judgment in a Criminal Case was entered in Case No. 4:10CR00340-001, styled *United States of America v. William George Gammon*, in the United States District Court for the Southern District of Texas, Houston Division, wherein Respondent pled guilty to Count 1 –

Possession of Child Pornography and was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of forty-eight (48) months. Respondent was ordered upon release from imprisonment to be on supervised release for life with special conditions related to sex offender requirements, ordered to pay an assessment of \$100.00 and restitution of \$375,000.00.

- (4) Respondent, William George Gammon, III, is the same person as the William George Gammon who is the subject of the criminal case described above.
- (5) Respondent has appealed the criminal conviction.

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. Tex. R. Disciplinary P. 7.08(G);
- (2) Respondent, William George Gammon, III, having been convicted of Possession of Child Pornography, has been convicted of an Intentional Crime as defined by TRDP 1.06(T).
- (3) Respondent has also been convicted of a Serious Crime as defined by TRDP 1.06(Z).
- (4) Having been found guilty and convicted of an Intentional and Serious Crime and having appealed such conviction, Respondent, William George Gammon, III, should have his license to practice law in Texas suspended during the appeal of his criminal conviction. TRDP 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

It is, accordingly, ORDERED, ADJUDGED, and DECREED that Respondent, William George Gammon, III, State Bar Card No. 07611300, 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, William George Gammon, III, during said suspension is hereby prohibited, effective immediately, 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 before the date of this order, 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, William George Gammon, III, 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, William George Gammon, III, 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, William George Gammon, III, shall immediately notify each of his current clients and opposing counsel, 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 and opposing counsel 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, William George Gammon, III, 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.

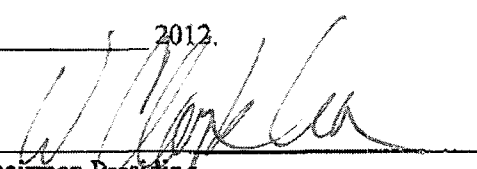
It is further ORDERED that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Order, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

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 SW 3d 46 (Tex. 2007).

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

Signed this 26th day of July, 2012.

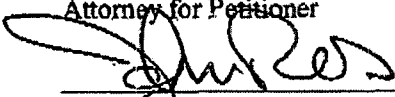


Chairman Presiding
Board of Disciplinary Appeals

APPROVED AS TO FORM AND CONTENT:



Rebecca (Beth) Stevens
Assistant Disciplinary Counsel
State Bar Card No. 24065381
Attorney for Petitioner



John T. Floyd, III
State Bar Card No. 00790700
Attorney for Respondent

John T. Floyd, III
State Bar Card No. 00790700
Attorney for Respondent