

ORDER OF THE SUPREME COURT OF TEXAS

MISC. DOCKET No. 06- 9028

IN THE MATTER OF MR. J. D. (JONATHAN) MC DONALD

The Court has reviewed the *Motion for Acceptance of Resignation as Attorney and Counselor at Law* of Mr. J. D. (Jonathan) Mc Donald and the *Response of the Chief Disciplinary Counsel for the Commission for Lawyer Discipline*. The Court concludes each meets the requirements of Part X of the TEXAS RULES OF DISCIPLINARY PROCEDURE. In the absence of a request by Mr. Mc Donald to withdraw his *Motion for Acceptance of Resignation as Attorney and Counselor at Law*, the Court deems the professional misconduct detailed in the *Response of the Chief Disciplinary Counsel for the Commission for Lawyer Discipline* conclusively established for all purposes. The Court further concludes that acceptance of Mr. Mc Donald's resignation is in the best interest of the public and the profession.

Therefore, the law license of Mr. Mc Donald of Houston, Harris County, Texas, State Bar Number 13551020, is canceled.

Mr. Mc Donald is prohibited from practicing law in the State of Texas. This includes holding himself out as attorney at law, performing legal services for others, giving legal advice to others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body (whether state, county, municipal, or other), or holding himself out to others or using his name in any manner in conjunction with the "Attorney at Law," "Counselor at Law," or "Lawyer."

Mr. Mc Donald must immediately notify in writing each of his current clients of this resignation. Mr. Mc Donald shall also return any files, papers, unearned monies, and other property

in his possession and belonging to any client, to the respective client or to another attorney at the client's request. Mr. Mc Donald shall file with the **STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, Texas 78711-2487**, within thirty (30) days of the date of this *Order* an affidavit stating that all current clients have been notified of his resignation and that all files, papers, monies, and other property belonging to all clients have been returned.

Additionally, Mr. Mc Donald shall, within thirty (30) days of this *Order*, notify in writing each justice of the peace, judge, magistrate, and chief justice of each court in which he has any matter pending of the terms of this *Order*; the style and cause number of the pending matter(s); and the name, address and telephone number of the client(s) he is representing in that court. Mr. Mc Donald shall file with the **STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, Texas 78711-2487**, within thirty (30) days of the date of this *Order*, an affidavit stating that he has notified in writing each justice of the peace, judge, magistrate, and chief justice of each court in which he has any matter pending of the terms of this *Order*; the style and cause number of the pending matter(s); and the name, address and telephone number of the client(s) he is representing in that court.

RESTITUTION

As an absolute condition precedent for the reinstatement for Mr. Mc Donald, restitution must be made as follows:

STEVE WINDHAM (File # D010218021): Mr. J.D. (Jonathan) Mc Donald shall pay restitution and pre-judgment interest to **STEVE WINDHAM** in the amount of **\$6,842.20 (USD)**.

All payments are to be made by certified or cashier's check and delivered to the **STATE BAR OF**

TEXAS, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, Texas 78711-2487.

RANDY BUSH (File # D1030218308): Mr. J.D. (Jonathan) Mc Donald shall pay restitution and pre-judgment interest to **RANDY BUSH** in the amount of **\$2,463.55 (USD)**. All payments are to be made by certified or cashier's check and delivered to the **STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, Texas 78711-2487.**

ATTORNEY'S FEES

As an absolute condition precedent for the reinstatement for Mr. J.D. (Jonathan) Mc Donald, he is to tender payment of attorney's fees in the amount of **\$3,628.75 (USD)**. All payments should be made by certified or cashier's check and delivered to the **STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, Texas 78711-2487.**

TAXABLE COSTS

As an absolute condition precedent for the reinstatement for Mr. J.D. (Jonathan) Mc Donald, he is to tender payment of taxable costs in the amount of **\$1,255.02 (USD)**. All payments should be made by certified or cashier's check and delivered to the **STATE BAR OF TEXAS, Office of the Chief Disciplinary Counsel, P.O. Box 12487, Austin, Texas 78711-2487.**

POST-JUDGMENT INTEREST

As an absolute condition precedent for the reinstatement of Mr. J.D. (Jonathan) McDonald, all post-judgment interest (assessed at 7.25 % per annum) incurred from the restitution, attorneys' fees and taxable costs from January 5, 2006 to date of final payment are required. As of the date of entry of this Order, the total of restitution, fees and costs assessed against Mr. J.D. (Jonathan) Mc Donald is **\$14,189.52 (USD)**. All payments of incurred post-judgment interest should be made by

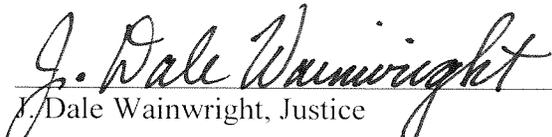
certified or cashier's check and delivered to the STATE BAR OF TEXAS, Office of the Chief
Disciplinary Counsel, P.O. Box 12487, Austin, Texas 78711-2487.

IT IS ORDERED the 23rd day of March, 2006.

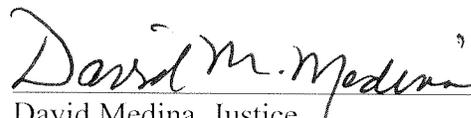

Wallace B. Jefferson, Chief Justice


Nathan L. Hecht, Justice


Harriet O'Neill, Justice


Dale Wainwright, Justice

Scott A. Brister, Justice


David Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice