

ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR
August 18, 2009

This report is written to describe E&D Committee actions and trends. There were four (4) Eligibility Requests, two (2) Petitioners for Exception to a Previous Board Order, four (4) Motions for Rehearing, eleven (11) Eligibility Agreed Orders, two (2) Reinstatement Agreed Orders, fifty-five (55) Disciplinary Agreed Orders, and sixty-four (64) Default Revocation Orders.

NATURE OF ELIGIBILITY REQUESTS AND RESOLUTIONS

PETITIONER / APPLICANTS: (4)

Approved with Stipulations (2):

1. Male Petitioner entered plea of guilty to second degree felony offense of Aggravated Assault, on March 31, 2003. Proceedings were deferred without an adjudication of guilt, and Petitioner was placed on probation for five (5) years. On May 8, 2008, Petitioner completed all terms of probation. On March 13, 2003, Petitioner was arrested for the Class B misdemeanor offense of Failure to Identify a Fugitive From Justice.
2. Female Applicant arrested on or about February 28, 1985, for the charge of Obstruct Government Administration or Resisting Arrest. On or about February 27, 1997, Applicant was arrested for the misdemeanor offenses of Operating a Motor Vehicle While Intoxicated and Inf. Violations Miscellaneous Rules. On April 1, 1997, Applicant was charged with Driving While Alcohol Impaired and was assessed a fine of \$350.

Denied (1):

1. On or about October 22, 2003, Respondent was convicted of Conspiracy - Count 1 (a felony offense committed on July 9, 1998), Mailing Obscene Matter and Aiding and Abetting - Count 2 (a felony offense committed on April 27, 1998), and Mailing Obscene Matter and Aiding and Abetting - Count 3 (a felony offense committed on May 5, 1998), in the United States District Court, Northern District of Texas. Petitioner filed an appeal following her conviction. In early 2006, the conviction was affirmed and as a result of the conviction, Petitioner was committed to the custody of the United States Bureau of Prisons to be confined for a period of thirty (30) months for Counts 1, 2, and 3, to run concurrently. Upon release from imprisonment, Petitioner was placed on probation for a period of three (3) years. Additionally, Petitioner was ordered to pay a special assessment for Counts 1, 2, and 3. Petitioner is scheduled to be released from probation on March 26, 2011.

Continued (1):

1. On October 18, 2001, Applicant entered a plea of guilty to the misdemeanor offense of Driving Under the Influence. Applicant was granted entry into the Pre-Trial Diversion Program. On January 16, 2003, Applicant completed the terms of the Pre-Trial Diversion Program. On May 7, 2007, Applicant entered a plea of guilty to the misdemeanor offense of Driving While Intoxicated. Applicant was sentenced to seven hundred thirty (730) days probation.

MOTIONS FOR REHEARING (4): One (1) Denied, three (3) Granted.

PETITIONERS FOR EXCEPTION TO A PREVIOUS BOARD ORDER (2): Two (2) Granted.

ELIGIBILITY AGREED ORDERS (1): Approved.

REINSTATEMENT AGREED ORDERS (2): Approved.

DISCIPLINARY AGREED ORDERS (55): Approved.

DEFAULT REVOCATION ORDERS (64): Approved.

ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR
September 8, 2009

This report is written to describe E&D Committee actions and trends. There were three (3) Eligibility Requests, three (3) Petitioners for Exception to a Previous Board Order, two (2) Motions for Rehearing, two (2) Eligibility Agreed Orders, two (2) Reinstatement Agreed Orders, thirty -four (34) Disciplinary Agreed Orders, sixteen (16) Default Revocation Orders, and one (1) Motion to Vacate Previous Board Order.

NATURE OF ELIGIBILITY REQUESTS AND RESOLUTIONS

PETITIONER / APPLICANTS: (3)

Approved with Stipulations (2):

1. On January 27, 2005, Petitioner was convicted of the Class B misdemeanor offenses of Driving While Intoxicated and Possession of Marijuana. Petitioner was sentenced to one (1) year probation. On January 27, 2005, Petitioner was convicted of the Class B misdemeanor offense of Possession of Marijuana.

2. On January 26, 1998, Applicant entered a plea of guilty to the felony offense of Bank Fraud, in the United States District Court, Western District of Texas. Applicant was sentenced to the custody of the United States Bureau of Prisons to be imprisoned for a term of one (1) month. Upon release from imprisonment, Applicant was on supervised release for a term of three (3) years. On August 1, 1998, Applicant was released from custody to begin the term of supervised release. On January 28, 2000, Applicant violated probation and was sentenced to six (6) months imprisonment and two (2) months suspended release. On June 29, 2002, Applicant completed all terms of supervised release. On November 17, 1999, Applicant was convicted of the misdemeanor offense of Driving While Intoxicated and had his driver's license suspended for one (1) year..

Denied (1):

1. On February 7, 1978, Petitioner was arrested for the felony offense of Larceny. On April 28, 1978, Petitioner was convicted of the offense of Larceny and was sentenced to two (2) years probation. On April 21, 2005, Petitioner was arrested for the felony offenses of Count I - Bank Fraud; Aiding and Abetting and Count II - Engaging in Monetary Transactions in Property Derived from Specified Unlawful Activity. On August 29, 2005, in the United States District Court, Western District of Texas, Petitioner entered a plea of guilty to both counts and was sentenced to thirty (30) months confinement in the custody of the United States bureau of Prisons to each of Counts I and II to be served concurrently. Upon release

from imprisonment, Petitioner shall be on supervised release for a term of five (5) years. The term consists of five (5) years on Count I and three (3) years on Count II to be served concurrently. On December 21, 2007, Petitioner was released from imprisonment and began the term of probation which is scheduled to expire on December 20, 2012.

MOTIONS FOR REHEARING (2): One (1) Denied, One (1) Granted.

MOTION TO VACATE PREVIOUS BOARD ORDER (1): One (1) Granted.

PETITIONERS FOR EXCEPTION TO A PREVIOUS BOARD ORDER (3): One (1) Granted, Two (2) Continued.

ELIGIBILITY AGREED ORDERS (2): Approved.

REINSTATEMENT AGREED ORDERS (2): Approved.

DISCIPLINARY AGREED ORDERS (34): Approved.

DEFAULT REVOCATION ORDERS (16): Approved.