

BEFORE THE EVIDENTIARY PANEL FOR
STATE BAR DISTRICT NO. 08A2 STATE BAR OF TEXAS

FILED

COMMISSION FOR LAWYER
DISCIPLINE,
Petitioner

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OCT 23 2006

V.

A0030610378

Austin Office
Chief Disciplinary Counsel
State Bar of Texas

C. RANDALL MICHEL,
Respondent

AGREED JUDGMENT OF PUBLIC REPRIMAND

On this day, came to be heard the above styled and numbered cause. Petitioner, the Commission for Lawyer Discipline, appeared by and through its attorney of record and announced ready. Respondent, C. Randall Michel (hereinafter referred to as "Respondent"), Texas Bar Number 14009450, appeared by and through his attorney of record, Wayne T. Rife, and announced ready. The Evidentiary Panel finds that it has jurisdiction over the parties and the subject matter of this action, and that venue is proper.

The Commission for Lawyer Discipline and Respondent have reached an agreement. The Evidentiary Panel, having considered all of the evidence submitted, makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

- 1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.

PETITIONERS
EXHIBIT
NO. 313

2. Venue is proper in Brazos County, Texas, pursuant to Rule 2.11(B) of the Texas Disciplinary Rules of Procedure, because Respondent's principal place of practice is Brazos County, Texas.
3. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and costs associated with the proceedings of this matter, which should be paid by Respondent.
4. The Respondent was the judge of the County Court at Law No. 1 of Brazos County. In the period leading up to November 24, 2004, he engaged in a series of *ex parte* emails with an attorney, Patricia Harrison, in a matter over which he was presiding as the trial judge, with the intent to influence the outcome of the case.

CONCLUSIONS OF LAW

It is agreed that the foregoing findings of fact support the conclusion, and the Evidentiary Panel so concludes that the Respondent has violated Rule 8.04(a)(1) of the Texas Disciplinary Rules of Professional Conduct, Article X, Section 9, State Bar Rules.

Said findings and conclusions support an *Agreed Judgment of Public Reprimand*, and by reason of said findings and conclusions, the Evidentiary Panel finds that Respondent has committed professional misconduct as defined by Rule 1.06(V) of the Texas Rules of Disciplinary Procedure and should be reprimanded.

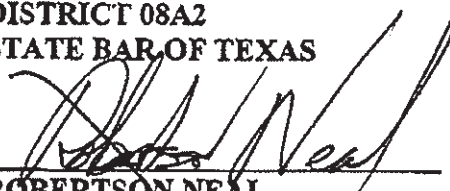
IT IS AGREED AND THEREFORE ORDERED that Respondent is reprimanded. This reprimand is to be made a matter of public record and shall be appropriately recorded in accordance with the Texas Rules of Disciplinary Procedure.

IT IS AGREED AND THEREFORE ORDERED that Respondent pay reasonable and necessary attorneys' fees and direct expenses related to this proceeding in the amount of \$400.00. All payments are to be remitted to the State Bar of Texas, Office of the Chief Disciplinary Counsel, 6300 La Calma, Suite 300, Austin, Texas 78752, by money order, certified check, or cashier's check, within sixty (60) days of the signing of this *Judgment*.

All amounts ordered herein are due to the misconduct of the attorney, assessed as a part of the sanction in accordance with Rule 1.06(Y) of the Texas Rules of Disciplinary Procedure, and intended by the parties to be non-dischargeable in bankruptcy. Any amount not paid shall bear interest in the amount of five percent (5%) per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

SIGNED this 17 day of October 2006.

EVIDENTIARY PANEL
DISTRICT 08A2
STATE BAR OF TEXAS


ROBERTSON NEAL
Chairperson

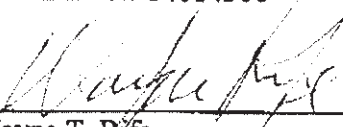
AGREED AS TO BOTH
FORM AND SUBSTANCE:

STATE BAR OF TEXAS
Office of the Chief Disciplinary Counsel

John A. Neal
Chief Disciplinary Counsel



Stephen A. Moyik
Assistant Disciplinary Counsel
State Bar No. 14614300



Wayne T. Rife
Attorney for Respondent
State Bar No. 16915850



C. Randall Michel, Respondent
State Bar No. 14009450