

IN THE MATTER OF:	§	INVESTIGATORY PANEL 12-2
	§	
GOCHA A. RAMIREZ,	§	DISTRICT 12
BAR NO. 16501800	§	
	§	GRIEVANCE COMMITTEE

AGREED JUDGMENT OF PROBATED SUSPENSION

Parties and Appearance

Chief Disciplinary Counsel and Respondent, Gocha A. Ramirez, Texas Bar Number 16501800, announce that an agreement has been reached on all matters including the imposition of a Probated Suspension.

Jurisdiction and Venue

The Investigatory Panel 12-2, having conducted an Investigatory Hearing on March 1, 2023 and continued on December 6, 2023 on the Complaint filed by Joanna L. Grossman, finds that it has jurisdiction over the parties and the subject matter of this action, and that venue is proper.

Professional Misconduct

The Investigatory Panel, having considered the admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Investigatory Panel finds:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent's Professional Misconduct occurred, in whole or in part, in Starr County, Texas.
3. At all relevant times, Respondent was the District Attorney of Starr County, Texas.

4. Assistant District Attorneys under Respondent's supervision sought to pursue criminal homicide charges against an individual for acts clearly not criminal pursuant to Texas Penal Code § 19.06.
5. Respondent failed to refrain from prosecuting a charge that was known not to be supported by probable cause.
6. Respondent was consulted by an Assistant District Attorney prior to the matter being presented to the Grand Jury.
7. Respondent knowingly permitted the conduct of the Assistant District Attorney under his direct supervision.
8. With knowledge of the violation of disciplinary rules by Respondent's Assistant District Attorneys, Respondent knowingly failed to take reasonable remedial action to avoid or mitigate the consequences of the Assistant District Attorneys.
9. Respondent denied to the Office of the Chief Disciplinary Counsel that he was aware of the facts of the case, nor that he was ever briefed on the facts of the case, prior to the matter being presented to the Grand Jury.
10. In connection with the investigation made the basis of this disciplinary matter, Respondent knowingly made a false statement of material fact in his written response to the complaint.
11. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of \$1,250.00.

Conclusions of Law

Based on the agreed foregoing findings of fact, the Investigatory Panel finds that the following Texas Disciplinary Rules of Professional Conduct have been violated: 8.01(a), 3.09(a), 5.01(a), and 5.01(b).

Sanction

It is AGREED and ORDERED that the sanction of a Probated Suspension shall be imposed against Respondent and is in accordance with Part XV of the Texas Rules of Disciplinary Procedure.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of 1 year with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on April 1, 2024 and shall end on March 31, 2025.

Terms of Probation

It is further ORDERED that during all periods of suspension, Respondent shall be under the following terms and conditions:

1. Respondent shall not violate any term of this judgment.
2. Respondent shall not engage in Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.
3. Respondent shall not violate any state or federal criminal statutes.
4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses, email addresses and telephone numbers.
5. Respondent shall comply with Minimum Continuing Legal Education requirements.
6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of Professional Misconduct.
8. Respondent shall pay all reasonable and necessary attorney's fees and direct expenses, on or before the signing of this judgment, to the State Bar of Texas in the amount of \$1,250.00. The payment shall be by certified or cashier's check or money order, made payable to the State Bar of Texas and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
9. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 877-953-5535, ext. 1334 and Special Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Probation Revocation

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.22 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be

given credit for any term of probation served prior to revocation.

It is further ORDERED that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

Attorney's Fees and Expenses

It is further ORDERED Respondent shall pay all reasonable and necessary attorney's fees and direct expenses, on or before the signing of this judgment, to the State Bar of Texas in the amount of \$1,250.00 The payment shall be made by certified or cashier's check or money order, made payable to the State Bar of Texas and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further ORDERED that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(FF) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate 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.

Publication

This suspension shall be made a matter of public record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 25th day of January, 2024.

**INVESTIGATORY PANEL 12-2
DISTRICT 12**



Katherine D. Julia
PRESIDING MEMBER

AGREED AS TO FORM AND SUBSTANCE:



Gocha A. Ramirez
State Bar No. 16501800
RESPONDENT



B. Clayton Hackett
State Bar No. 24078612
ASSISTANT CHIEF DISCIPLINARY COUNSEL