

CAUSE NO. D-1-GN-19-000238

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
	§	
V.	§	TRAVIS COUNTY, TEXAS
	§	
SAMUEL ADJEI SARFO	§	419th
201801418	§	<u> </u> JUDICIAL DISTRICT
201802469	§	
	§	

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complaining of Respondent, Samuel Adjei Sarfo, State Bar Card No. 24071896 (hereinafter called "Respondent"), showing the Court:

I.

Pursuant to Rule 190.1, Texas Rules of Civil Procedure, discovery in this case is governed by Discovery Control Plan -- Level 2, as provided in Rule 190.3, Texas Rules of Civil Procedure.

II.

Petitioner brings this disciplinary action pursuant to the State Bar Act, Tex. Gov't. Code Ann. §81.001, et seq. (Vernon 1998), the Texas Disciplinary Rules of Professional Conduct and the Texas Rules of Disciplinary Procedure. The complaints which form the basis of this Disciplinary Petition were filed on or about March 5, 2018, and April 20, 2018.

III.

Respondent is an attorney licensed to practice law in Texas and a member of the State Bar of Texas. Respondent has his principal place of practice in Travis County, Texas. Respondent may be served with process at 1703B Burton Drive, Austin, Texas 78741.

IV.

201801418 - Salim Awokye Sufyan - Samuel Adjei Sarfo and
201802469 - Hassan Mahama - Samuel Adjei Sarfo

On October 20, 2017, Complainant, Hassan Mahama, paid Respondent, Samuel Adjei Sarfo (“Sarfo”), \$1,500 advanced fee to represent his nephew, Salim Awokye Sufyan (“Sufyan”). Sufyan was an asylum seeker in the custody of the Immigration and Customs Enforcement when Respondent was hired to obtain Sufyan’s release from confinement. On November 16, 2017, Respondent filed a Petition for Writ of Habeas Corpus on Sufyan’s behalf in Cause No. 5:17-cv-01174-XR styled *Sufyan v. Sessions, et. al.*, in the United States District Court, Western District of Texas, San Antonio Division. At the time Respondent filed the petition he was suspended from practice in the Western District pursuant to an order signed on July 17, 2017, in Cause No. 5:17-MC-7220FB styled *In the Matter of Samuel Adjei Sarfo*, in the United States District Court, Western District of Texas, San Antonio Division. The order suspending Respondent’s right to practice in the Western District provided that Respondent could reapply for admission when he was “reinstated to full licensure by the State Bar of Texas.” At no time prior to or concurrent with the filing of the Sufyan’s petition did Respondent apply for admission to the Western District of Texas or file a motion to appear pro hac vice for Sufyan’s case. Complainant and Sufyan requested that Respondent return the advanced fee paid but Respondent refused.

V.

By his conduct as alleged in paragraph IV, Respondent has violated the following Texas Disciplinary Rules of Professional Conduct for which he should be disciplined pursuant to Rule 3.09 of the Texas Rules of Disciplinary Procedure.

201801418 - Salim Awokye Sufyan - Samuel Adjei Sarfo and
201802469 - Hassan Mahama - Samuel Adjei Sarfo

- Rule 1.15(d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payments of fee that has not been earned. The lawyer may retain papers relating to the client to the extent permitted by other law only if such retention will not prejudice the client in the subject matter of the representation.
- Rule 5.05(a) A lawyer shall not practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.
- Rule 8.04(a)(7) A lawyer shall not violate any disciplinary or disability order or judgment.

VI.

The complaints which form the basis of the Cause of Action set forth above were brought to the attention of the Office of the Chief Disciplinary Counsel of the State Bar of Texas by Salim Awokye Sufyan and Hassan Mahama filing complaints against Respondent on or about March 5, 2018, and April 20, 2018.

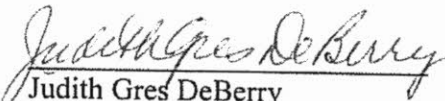
PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant and that Petitioner have such other and further relief to which entitled, including costs of court and attorney's fees.

Respectfully submitted,

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