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Cause No. 2013-56866

COMMISSION FOR LAWYER DISCIPLINE, Petitioner	§ § §	IN THE DISTRICT COURT OF
VS.	§ § §	HARRIS COUNTY, TEXAS
ROBERT S. BENNETT, Respondent	§ §	334 <sup>th</sup> JUDICIAL DISTRICT

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The above-captioned matter having been tried to the Court without a jury, and Respondent, Robert S. Bennett, having timely requested that the Court state in writing its findings of fact and conclusions of law, the Court now issues the following.

**FILED**  
 Chris Daniel  
 District Clerk  
 MAY - 7 2014  
 Time: \_\_\_\_\_  
 By: \_\_\_\_\_  
 Harris County, Texas  
 Deputy

**FINDINGS OF FACT**

1. Upon termination of Respondent's representation of Gary O. Land, Respondent failed to refund an advance payment of fee that had not been earned.
2. In the course of Respondent's litigation with Gary O. Land concerning their fee dispute, Respondent took positions that unreasonably increased the cost or other burdens of the case.
3. In the course of Respondent's litigation with Gary O. Land concerning their fee dispute, Respondent took positions that unreasonably delayed the resolution of the matter.
4. Restitution is due to Gary O. Land from Respondent in the amount of \$27,500.00.
5. Petitioner's direct expenses in the above-captioned matter are in the amount of \$320.00.

**CONCLUSIONS OF LAW**

1. Respondent violated Rule 1.15(d) of the Texas Disciplinary Rules of Professional Conduct.

Unofficial Copy of the Original  
 Chris Daniel  
 District Clerk

RECORDER'S MEMORANDUM  
 This instrument is of poor quality  
 at the time of imaging

2. Respondent violated Rule 3.02 of the Texas Disciplinary Rules of Professional Conduct

Signed this 17<sup>th</sup> day of May, 2014

*Carmen Kelsey*  
HONORABLE CARMEN KELSEY  
Specially Assigned Judge

Unofficial Copy of Chris Danie District Clerk