

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re
MORRIS KONSTANDINOS ESTEP,

Lawyer (Bar No. 30328).

Proceeding No. 01#00064
ODC File No(s). 00-02069, 01-00644
RESIGNATION FORM OF Morris
Konstandinos Estep (ELC 9.3(b))

Morris Konstandinos Estep, being duly sworn, hereby attests to the following:

1. I am over the age of eighteen years and am competent. I make the statements in this affidavit from personal knowledge.
2. I was admitted to practice law in the State of Washington on October 27, 2000. I am currently on inactive status.
3. I was served with a First Amended Formal Complaint and Notice to Answer in this matter.
4. After consultation with my counsel, Leland G. Ripley, I have voluntarily decided to resign from the Washington State Bar Association (the Association) in Lieu of Discipline under Rule 9.3 of the Rules for Enforcement of Lawyer Conduct (ELC).

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1 5. Attached hereto as Exhibit A is Disciplinary Counsel's statement of alleged
2 misconduct for purposes of ELC 9.3(b). I am aware of the alleged misconduct stated in
3 disciplinary counsel's statement but, rather than defend against the allegations, I wish to
4 permanently resign from membership in the Association.

5 6. I am submitting with this affidavit a check in the amount of \$1,833.44 made out to
6 the Washington State Bar Association as payment for expenses and costs.

7 7. I agree to pay any additional costs or restitution that may be ordered by a Review
8 Committee under ELC 9.3(g).

9 8. I understand that my resignation is permanent and that any future application by
10 me for reinstatement as a member of the Association is currently barred. If the Supreme Court
11 changes this rule or an application is otherwise permitted in the future, it will be treated as an
12 application by one who has been disbarred for ethical misconduct, and that, if I file an
13 application, I will not be entitled to a reconsideration or reexamination of the facts, complaints,
14 allegations, or instances of alleged misconduct on which this resignation was based.

15 9. I agree to (a) notify all other states and jurisdictions in which I am admitted of this
16 resignation in lieu of discipline; (b) seek to resign permanently from the practice of law in any
17 other state or jurisdiction in which I am admitted to practice law; and (c) provide disciplinary
18 counsel with copies of any notification(s) and any response(s). I acknowledge that this
19 resignation could be treated as a disbarment by all other jurisdictions.

20 10. I agree to (a) notify all other professional licensing agencies in any jurisdiction
21 from which I have a professional license that is predicated on my admission to practice law of
22 this resignation in lieu of discipline; (b) seek to resign permanently from any such license; and
23 (c) provide disciplinary counsel with copies of any of these notifications and any responses.

1 11. I agree that when applying for any employment, I will disclose the resignation in
2 lieu of discipline in response to any question regarding disciplinary action or the status of my
3 license to practice law.

4 12. I understand that my resignation becomes effective on disciplinary counsel's
5 endorsement and filing of this document with the Clerk, and that under ELC 9.3(c) disciplinary
6 counsel must do so promptly following receipt of this document and payment of costs and
7 expenses.

8 13. When my resignation becomes effective, I agree to be subject to all restrictions that
9 apply to a disbarred lawyer.

10 14. Upon filing of my resignation, I agree to comply with the same duties as a
11 disbarred lawyer under ELC 14.1 through ELC 14.4.

12 15. I understand that, after my resignation becomes effective, it is permanent. I will
13 never be eligible to apply and will not be considered for admission or reinstatement to the
14 practice of law nor will I be eligible for admission for any limited practice of law.

1 16. I certify under penalty of perjury under the laws of the State of Washington that
2 the foregoing is true and correct.

3 25th April 2017, Boerne, TX
4 Date and Place

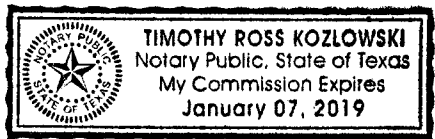
[Signature]
Morris Konstandinos Estep, Bar No. 30328

5 SUBSCRIBED AND SWORN to before me this 25th day of April, 2017.

6 TRK
TEXAS Timothy Ross Kozlowski
7 NOTARY PUBLIC for the state of
Washington, residing at 215 W Bandera
Rd Ste 114 Boerne TX 78006
8 My commission expires: 01-07-2019

9 ENDORSED BY:

[Signature]



10 Christine Gray,
11 Associate Director Litigation of the Office of Disciplinary Counsel
12 Bar No. 26684

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EXHIBIT A

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BEFORE THE
DISCIPLINARY BOARD
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WASHINGTON STATE BAR ASSOCIATION

In re

MORRIS KONSTANDINOS ESTEP,

Lawyer (Bar No. 30328).

Proceeding No. 01#00064

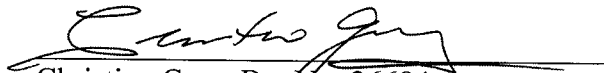
ODC File No(s). 00-02069, 01-00064

STATEMENT OF ALLEGED
MISCONDUCT UNDER ELC 9.3(b)(1)

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The attached First Amended Formal Complaint, filed on January 22, 2002 in Proceeding No. 01#00064, constitutes Disciplinary Counsel's statement of alleged misconduct under Rule 9.3(b)(1) of the Rules for Enforcement of Lawyer Conduct.

DATED this 18th day of April, 2017.



Christine Gray, Bar No. 26684
Associate Director Litigation

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FILED

JAN 22 2002

DISCIPLINARY BOARD

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

MORRIS K. ESTEP,
Lawyer (Bar No. 30328).

Public No. 01#00064

FIRST AMENDED FORMAL
COMPLAINT

Pursuant to Rule 4.3 of the Rules for Lawyer Discipline ("RLD"), the Washington State Bar Association ("WSBA") charges the above-named lawyer with acts of misconduct under the Rules of Professional Conduct ("RPC") and RLD as set forth below. Copies of the relevant rules are attached as Appendix A.

ADMISSION TO PRACTICE

1. Respondent Morris K. Estep was admitted to the practice of law in the State of Washington on October 27, 2000.

FACTS REGARDING COUNTS I THROUGH VI

2. Beginning in late 1999 or early 2000 up through October 26, 2000, Respondent worked for lawyer James K. Kim as a contract paralegal. During this time period, although Respondent had completed law school, he was not admitted to the bar.

3. On or about April 21, 2000, Susan Hazard signed a fee agreement for legal representation with Respondent and Mr. Kim. Between April 2000 and October 2000,

ORIGINAL

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1 Respondent led Ms. Hazard to believe that he was a lawyer. Prior to his admission as a
2 lawyer, Respondent never told Ms. Hazard that he was not a lawyer. In or about spring or
3 summer 2000, Respondent gave Ms. Hazard a business card that says, "Morris
4 Konstandinos Estep, J.D.," which in no way indicated that Respondent was a paralegal at
5 the time.

6 4. On or about May 23, 2000, LaShandra Eddings signed a fee agreement for
7 legal representation with Respondent and Mr. Kim. Between May 2000 and October
8 2000, Respondent led Ms. Eddings to believe that he was a lawyer. Prior to his admission
9 as a lawyer, Respondent never told Ms. Eddings that he was not a lawyer.

10 5. On or about July 6, 2000, William C. Hazard entered into a written fee
11 agreement with the Law Offices of James K. Kim for legal representation. In so doing,
12 Mr. Hazard communicated only with Respondent, and had no communication with Mr.
13 Kim. Between April 2000 and October 2000, Respondent led Mr. Hazard to believe that
14 he was a lawyer. Prior to his admission as a lawyer, Respondent never told Mr. Hazard
15 that he was not a lawyer.

16 6. On or about September 8, 2000, Respondent signed the name of lawyer
17 Richard J. Cowles to Notice of Claim on behalf of William Hazard. Respondent created a
18 computer-generated letterhead in the name of Richard Cowles on which the Notice of
19 Claim was printed.

20 7. Mr. Cowles never gave Respondent authorization to sign Mr. Cowles name
21 on the Notice of Claim, nor did he give Respondent authorization to use letterhead in Mr.
22 Cowles name for the Notice of Claim.

23 8. On or about September 8, 2000, Respondent caused the Notice of Claim to
24 be filed.

25 9. As of September 8, 2000, Mr. Cowles and Mr. Hazard had never
26 communicated with each other and had never formed an attorney-client relationship.

27 10. In October 2000, Mr. Cowles filed a grievance against Respondent.

1 11. In or about November 2000, Respondent talked to Mr. Hazard about signing
2 a declaration, but never told him that the purpose of the declaration was to assist in
3 responding to a grievance.

4 12. In or about November 2000, Respondent told Mr. Hazard that Mr. Cowles
5 had Mr. Hazard's client file and would not release the file and had not done any work on
6 the case. In fact, Mr. Cowles did not have Mr. Hazard's client file in November 2000.

7 13. In or about November 2000, after reviewing a declaration prepared for his
8 signature by Respondent, Mr. Hazard told Respondent that there were some false
9 statements in the declaration relating to meetings or conversations that Mr. Hazard never
10 had with Mr. Kim. Respondent told Mr. Hazard that Respondent needed the declaration to
11 protect Mr. Hazard's case. Respondent had Mr. Hazard sign the declaration, dated
12 November 20, 2000, with the false statements included.

13 14. In November 2000, Respondent submitted Mr. Hazard's Declaration dated
14 November 20, 2000 to the Association in response to the grievance filed by Mr. Cowles.

15 15. In November 2000, Respondent provided the Association with a response to
16 Mr. Cowles' grievance in the form of a Declaration dated November 20, 2000. In that
17 Declaration, Respondent claimed, in sum and in substance, among other things, that: (1)
18 Mr. Cowles authorized him to sign Mr. Cowles' name on the Hazard Notice of Claim and
19 (2) Mr. Hazard met and talked with Mr. Kim (by submitting Mr. Hazard's Declaration as
20 an exhibit to his own declaration).

21 16. None of the statements identified in the preceding paragraph are true.

22 17. In November 2000, Respondent also submitted a Declaration signed by Mr.
23 Kim to the Association in response to the grievance filed by Mr. Cowles.

24 18. Respondent drafted the Kim Declaration.

25 19. On April 10, 2001, the Association took Respondent's deposition regarding
26 the grievance filed by Mr. Cowles. Respondent testified in sum and in substance, among
27 other things, that: (1) he told Ms. Hazard and Mr. Hazard that he was not a lawyer; (2) he

1 did not have any conversations with Mr. Hazard about Mr. Hazard's declaration as set
2 forth in ¶¶12-13 above; (3) James Kim drafted his own declaration submitted to the
3 Association; (4) Mr. Cowles authorized him to sign Mr. Cowles' name on the Hazard
4 Notice of Claim; and (5) Mr. Hazard met and talked with Mr. Kim as set forth in the
5 November 20, 2000 Declaration of Mr. Hazard.

6 20. None of the statements identified in the preceding paragraph are true.

7 **COUNT I**

8 21. By preparing a signature and/or letterhead purporting to be that of Richard J.
9 Cowles on a Notice of Claim filed with King County on or about September 8, 2000,
10 without Mr. Cowles' authorization, Respondent violated RPC 8.4(b) (by committing the
11 crime of forgery, in violation of Revised Code of Washington 9A.60.0020), and/or RPC
12 8.4(c), and/or committed an act involving moral turpitude and/or dishonesty and/or
13 corruption, subjecting Respondent to discipline pursuant to RLD 1.1(a) and/or RLD 1.1(i).

14 **COUNT II**

15 22. During the months preceding his admission to practice law, by making
16 misleading statements and/or omissions to Susan Hazard, William Hazard, and/or
17 LaShandra Eddings regarding his status as a lawyer, Respondent violated RPC 8.4(c), and
18 is subject to discipline pursuant to RLD 1.1(i).

19 **COUNT III**

20 23. By making one or more knowing misrepresentations to William Hazard in
21 connection with obtaining the Declaration of William Hazard dated November 20, 2000,
22 Respondent violated RPC 8.4(c) and/or RPC 8.4(d), and is subject to discipline pursuant
23 to RLD 1.1(i).

24 **COUNT IV**

25 24. By making one or more knowing misrepresentations in his November 20,
26 2000 Declaration, and/or in documents submitted in support thereof, submitted to the
27 Association in response to a grievance filed by Mr. Cowles, Respondent violated RPC

1 8.4(c) and/or RPC 8.4(d) and/or RLD 2.8(a), and is subject to discipline pursuant to RLD
2 1.1(i) and/or RLD 1.1(j).

3 **COUNT V**

4 25. By making one or more knowing misrepresentations in his April 10, 2001
5 WSBA deposition, Respondent violated RPC 8.4(c) and/or RPC 8.4(d) and/or RLD 2.8(a),
6 and is subject to discipline pursuant to RLD 1.1(i) and/or RLD 1.1(j).

7 **FACTS REGARDING COUNTS VI THROUGH IX**

8 26. On or about March 12, 2000, Vladimir Samarsky contacted Respondent to
9 obtain legal representation for his daughter, who had been arrested for shoplifting.

10 27. At that time, Respondent made an appointment with Mr. Samarsky to meet
11 him the next day at a Starbucks shop.

12 28. On or about March 12 or 13, 2000, Respondent agreed to represent Mr.
13 Samarsky's daughter.

14 29. At all times from March through June 2000, Mr. Samarsky reasonably
15 believed Respondent to be a lawyer representing his daughter.

16 30. Respondent never told Mr. Samarsky that he was not a lawyer.

17 31. On or about March 13, 2000, Respondent made a court appearance on behalf
18 of Mr. Samarsky's daughter, Valeria Samarsky, in *State v. Samarsky*, King County
19 Superior Court No. 008012791.

20 32. In addressing the court on that date, Respondent stated that he was "Morris
21 K. Estep, Law Offices of James Kim," but did not advise the court that he was not a
22 lawyer. Respondent presented a brief argument in favor of pre-trial release on behalf of
23 Ms. Samarsky.

24 33. In March 2000, at the time of this court appearance, Respondent was not
25 admitted to practice law in any jurisdiction, was not a Rule 9 intern (referring to
26 Admission to Practice Rule 9), and was aware that he was not permitted to make court
27 appearances.

1 34. On or about March 13, 2000, in the *Samarsky* case, Respondent signed the
2 Order on First Appearance dated that same day, March 13, 2000, indicating the terms of
3 Ms. Samarsky's release. Over the line for "Respondent Lawyer" is the signature of
4 Respondent. The signature bears no indication that Respondent was not a lawyer at the
5 time.

6 35. Shana Thompson, who worked as a contract lawyer for Mr. Kim in June and
7 early July 2000, worked on the Samarsky case in June 2000.

8 36. On or about June 20, 2000, Ms. Thompson deposited a \$3,000 advance fee
9 payment from Vladimir Samarsky into her own trust account that she had opened at
10 urging of Respondent.

11 37. In or about late June 2000, after she and Respondent attended a court
12 proceeding on Ms. Samarsky's case, Vladimir Samarsky terminated their services.

13 38. By check dated July 6, 2000, Ms. Thompson returned to Mr. Samarsky
14 \$1,300, which represented the unused portion of his advance fee payment.

15 39. In or about early July 2000, when Ms. Thompson was disbursing the funds
16 received from Mr. Samarsky, Respondent told Ms. Thompson in sum and in substance
17 that he had already paid Mr. Kim \$1,000 for Mr. Kim's share on the Samarsky case, and
18 told her that she should pay Respondent \$1,000 of the funds received from Mr. Samarsky.

19 40. Ms. Thompson wrote a check dated July 6, 2000 for \$900, payable to
20 Respondent.

21 41. This \$900 payment was made for work performed by Mr. Kim and/or
22 Respondent on the Samarsky case.

23 42. On April 10, 2001, Respondent testified in a deposition being taken of him
24 by the WSBA in connection with an ongoing disciplinary investigation.

25 43. On April 10, 2001, Respondent testified in sum and in substance, among
26 other things, that Ms. Thompson's July 6, 2000 check to Respondent for \$900 was made
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1 to repay Respondent for purchasing office equipment and furniture for her and for a \$400-
2 500 cash loan for a mortgage payment he had made to her.

3 44. Respondent's sworn testimony, as set forth in the preceding paragraph, is
4 false. Respondent did not loan Ms. Thompson cash in order to make a mortgage payment,
5 nor did he purchase office equipment or furniture on her behalf.

6 45. On August 17, 2001, Respondent provided the Association with a written
7 response to the grievance related to the *Samarsky* case. In that response, and in his
8 testimony at an Association deposition that same day, Respondent asserted, in sum and in
9 substance, among other things, that Respondent told Vladimir Samarsky that Respondent
10 was "a law school graduate who had not yet been admitted to practice."

11 46. Respondent's statements, as set forth in the preceding paragraph, is false.

12 COUNT VI

13 47. By engaging in the practice of law in representing Valeria Samarsky, prior to
14 his admission to practice as a lawyer, Respondent violated Revised Code of Washington
15 (RCW) Section 2.48.180 (by committing the crime of unauthorized practice of law),
16 and/or RPC 8.4(c), and/or committed an act involving moral turpitude and/or dishonesty
17 and/or corruption, subjecting Respondent to discipline pursuant to RLD 1.1(a) and/or RLD
18 1.1(i).

19 COUNT VII

20 48. Between March 2000 up through and including June 2000, by making
21 misleading statements and/or omissions to Vladimir Samarsky and/or Valeria Samarsky
22 regarding his status as a lawyer, Respondent violated RPC 8.4(c), and is subject to
23 discipline pursuant to RLD 1.1(i).

24 COUNT VIII

25 49. By making one or more knowing misrepresentations in his April 10, 2001
26 WSBA deposition and/or his August 17, 2001 WSBA deposition, Respondent violated
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1 RPC 8.4(c) and/or RPC 8.4(d) and/or RLD 2.8(a), and is subject to discipline pursuant to
2 RLD 1.1(i) and/or RLD 1.1(j).

3 **COUNT IX** Respondent's conduct as set forth in paragraphs 1 through 49 above
4 constitutes conduct demonstrating unfitness to practice law, and subjects Respondent to
5 discipline pursuant to RLD 1.1(p).

6
7 **THEREFORE**, Disciplinary Counsel requests that a hearing be held under the
8 Rules for Lawyer Discipline, and that such disposition of this matter be made as warranted
9 by the facts and the law. Possible dispositions may include imposition of discipline;
10 imposition of probationary conditions; ordering restitution; and assessment of the costs
11 and expenses of these proceedings.

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13 DATED this 22nd day of January, 2007

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15 David D. Hoff (by Christine Gray)
16 David D. Hoff, Bar No. 99
17 Special Disciplinary Counsel

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