

ORIGINAL

Gary Rowe Thomas
700 Lavaca Street, Suite 607
Austin, Texas 78701
(512) 474-8585
(512) 322-0900 fax

SUPREME COURT OF THE STATE OF MONTANA

No. PR06-0544

IN RE PETITION OF GARY ROWE THOMAS
FOR REINSTATEMENT TO ACTIVE STATUS
IN THE STATE BAR OF MONTANA

FILED

NOV 12 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

PETITION

COMES NOW GARY ROWE THOMAS and respectfully petitions this Court for reinstatement to active status pursuant to Section 3 of the By-Laws of the State Bar of Montana.

Petitioner was admitted to the State Bar of Montana on January 27, 1983.

Petitioner voluntarily chose inactive status on August 28, 2007.

Petitioner was suspended for nonpayment of bar dues on July 14, 2008.

Petitioner is willing and able to pay active dues, fees, and the state license tax to the State Bar of Montana and comply with any continuing education requirements this Court may impose. In fact, Petitioner has voluntarily paid all bar dues which were due and past due, in the sum of \$610.00, as evidenced by the Receipt for online invoice payment dated September

15, 2009, attached hereto as Exhibit "A" and incorporated herein by this reference as if fully set forth, which, according to the State Bar's website, is the amount necessary to place Petitioner on active status and in good standing once more.

Further, Petitioner has also attached hereto his Continuing Legal Education records from the State Bar of Texas for calendar years 2007, 2008, and 2009 (referred to as Compliance Years 2008, 2009 and 2010 in the attached records). These records are printed out from the Official Website of the Texas State Bar MCLE (Mandatory Continuing Legal Education) and are attached hereto as package Exhibit "B" and incorporated herein as is fully set forth. They reflect Petitioner has the following CLE hours for the following calendar years: 2007: 38.75 hours; 2008: 24.25 hours; 2009 to date: 37.25 hours. Petitioner is also a member in good standing of the College of the State Bar of Texas, as evidenced by the attached email from the Managing Director of the College, attached hereto as Exhibit "C" and incorporated herein as if fully set forth. The requirements for membership in the College are set forth at Requirements for Initial Membership attached hereto as Exhibit "D," and include: 80 hours of CLE in a three year period or 45 hours in the current year, to join the College; then, at least 30 hours of CLE each year thereafter, at least 3 of which must be in legal ethics or professional responsibility.

Petitioner is not currently suspended, disbarred, or otherwise ineligible to practice law in another jurisdiction.

Petitioner is not currently subject to disciplinary proceedings or pending disciplinary proceedings in another jurisdiction.

Petitioner has not been charged with a criminal offense while not on active status. (If so, provide the pertinent details.)

Petitioner has not filed for bankruptcy while not on active status.

Petitioner has not failed to fulfill the obligations of a public office or professional license (other than as an attorney) while not on active status

Finally, petitioner has not committed any acts or omissions while not on active status which would be sanctionable under the Montana Rules of Professional Conduct.

Petitioner would add that he was a proud member of the State Bar of Montana and of the Bar of this Court, having represented clients in something in excess of a dozen cases before this Court, many of which were argued in Helena and one or two elsewhere. It was only the onset of severe financial hardship brought on by illness in the immediate family and other extraordinary factors such as a home flood, open heart surgery, and more, that caused Petitioner to be unable to pay his Bar dues in 2008; nevertheless, it happened, and Petitioner now seeks the relief set forth herein so he may again be an active member of the Bar of the State of Montana.

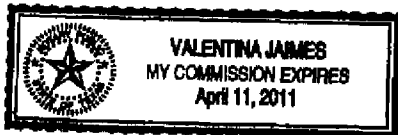
WHEREFORE, petitioner requests reinstatement as an active member of the State Bar of Montana.

The above statements are true based upon petitioner's knowledge and belief.

DATED this 7th day of October, 2009.

BY: Gary R Thomas
Petitioner

SUBSCRIBED AND SWORN TO before me this 7th day of October,
2009, by Gary Rowe Thomas.



(Notarial Seal)

Notary Signature Valentina James
Printed Name of Notary Valentina James
Residing at 760 Lavaca St #607, Austin TX 78701
Notary Public for the State of Texas
My Commission Expires _____



State Bar of Montana
7 W. 6th Avenue, Suite 2B
P.O. Box 577
Helena, MT 59624-0577
Phone: (406) 442-7660
Fax: (406) 442-7763
www.montanabar.org

Receipt

9/15/2009	892895
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Gary R. Thomas
700 Lavaca Street, Suite 607
P.O. Box 1464

Austin, TX 78767-1464
United States
Suspended Attorney Member
2341

Payment Details

9/15/2009	Online invoice payment	\$610.00
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Payment Method
Mastercard ending in 0843
Cynthia J. Thomas
10916 Bexley Lane
Austin, TX 78739
USA

Paid-for Details

Date	ID	Type	Description	Amount
9/15/2009	891373	Invoice	Reinstatement to Active status	\$610.00
Total Amount				\$610.00



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MCLE Member Home Page

Welcome MR. GARY ROWE THOMAS !

ATTENTION: The information contained in this report is provided as a tool for use in tracking MCLE compliance requirements. This report reflects current status only, is subject to change, and does not replace the Annual Verification Report which is mailed to each attorney during his/her birth month. Questions regarding MCLE reporting status, MCLE compliance status, course credits, CLE activities listed, or Summary of CLE Hours should be directed to the MCLE Department at (800)204-2222, ext. 1806. Questions regarding Membership status or address/contact information should be directed to the Membership department at (800) 204-2222, ext 1383.

2008 MCLE Compliance Information (Prior Year)

Membership Status: **ACTIVE**
 Name: **MR. GARY ROWE THOMAS**
 MCLE Reporting Status: **REGULAR**
 Compliance Dates: **1/2/2007 thru 1/1/2008**
 MCLE Compliance Status: **IN COMPLIANCE**

ATTENTION:

All requirements for the 2008 MCLE compliance year have been met.

Contact Information**Office (*Preferred)**

Address1: **THE CHASE BUILDING**
 Address2: **700 LAVACA STREET, SUITE 607**
 City, State, Zip: **AUSTIN, TX 78701**

Home

Address1:
 Address2: **10916 BEXLEY LANE**
 City, State, Zip: **AUSTIN, TX 78738**

2008 CLE Activities

Date	Course Id	Title	Credit Hours	Ethics Hours
11/3/2007	900027012	<u>Stuart Kinard Memorial Advanced DWI Seminar</u>	14.00	1.00
10/12/2007	900029489	<u>Trial Preparations</u>	1.25	0.00
10/10/2007		Other Self-study	5.00	1.00
10/3/2007	900015682	<u>Electronic Evidence & Discovery</u>	0.50	0.00
9/21/2007	900029487	<u>Attacking Bad Confessions</u>	1.25	0.00
9/14/2007	900029484	<u>Preserving Error</u>	1.25	0.50
9/7/2007	900029585	<u>Annual ACDLA Ethics Seminar</u>	3.00	3.00
8/29/2007	900028077	<u>Collateral Consequences of Criminal Convictions</u>	1.00	0.00
7/3/2007	900015681	<u>Analyzing Your Practice: Tuning Up Your Office Procedures</u>	0.50	0.50
6/29/2007	900019328	<u>Recent Decisions</u>	1.25	0.00
6/22/2007	900019327	<u>Trial Tactics</u>	1.25	0.00
5/18/2007	900019322	<u>Legal Issues in Child Abuse Trials</u>	1.25	0.00
5/14/2007	900015680	<u>The Changing Face of Discrimination</u>	0.50	0.00
5/4/2007	900019323	<u>Voir Dire</u>	1.25	0.00
4/27/2007	900015449	<u>Search & Seizure</u>	1.25	0.00
3/23/2007	900019316	<u>Ethics for Criminal Lawyers (Ethics)</u>	1.25	1.25
3/9/2007	900015448	<u>Pretrial Motions</u>	1.25	0.00
2/23/2007	900015443	<u>Professional Courtesy</u>	1.25	1.25
1/26/2007	900016793	<u>Professionalism</u>	0.50	0.50

TOTAL CLE HOURS REPORTED DURING THE 2008 COMPLIANCE YEAR **38.75** **9.00**

2008 CLE Summary Information

	Participatory Hours	Participatory Ethics	Self-Study Hours	Self-Study Ethics	Total Hours	Total Ethics
1. Carried Forward From 2007	15.00	3.00	0.00	0.00	15.00	3.00
2. Hours Earned During 2008	33.75	8.00	5.00	1.00	38.75	9.00
3. Hours Applied Toward 2008	15.00	3.00	0.00	0.00	15.00	3.00
4. Hours Needed For 2008	0.00	0.00	0.00	0.00	0.00	0.00
5. Carry Forward To 2009	15.00	3.00	0.00	0.00	15.00	3.00
6. Hours Needed in 2009	0.00	0.00	0.00	0.00	0.00	0.00

EXHIBIT



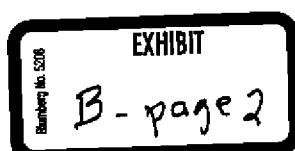
2008 Compliance Notes

YOUR MCLE RECORD SHOWS YOU HAVE COMPLETED ALL OF THE REQUIRED CLE FOR THIS MCLE COMPLIANCE YEAR. UNLESS THE INFORMATION ON THIS REPORT IS INCORRECT, NO FURTHER ACTION ON YOUR PART IS REQUIRED. FOR QUESTIONS REGARDING YOUR RECORD, CONTACT MCLE AT 1-800-204-2222, EXT. 1806.

The information contained on this page is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (800) 204-2222, ext 1806, and destroy the original message.

If you have any additional questions concerning the MCLE program in Texas, please contact us at:

State Bar of Texas
MCLE Department
P.O. Box 13007
Austin, Texas 78711-3007
800-204-2222, ext. 1806
FAX: (512) 463-1498



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MCLE Member Home Page

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2009 MCLE Compliance Information (Prior Year)

Membership Status: **ACTIVE**
 Name: **MR. GARY ROWE THOMAS**
 MCLE Reporting Status: **REGULAR**
 Compliance Dates: **1/2/2008 thru 1/1/2009**
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ATTENTION:

All requirements for the 2009 MCLE compliance year have been met.

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2009 CLE Activities

Date	Course Id	Title	Credit Hours	Ethics Hours
7/15/2008	900047741	<u>ACDLA Monthly Meeting</u>	1.00	0.00
4/25/2008	900040133	<u>Drug Recognition Evaluation Experts</u>	1.25	0.00
3/29/2008	900038888	<u>15th Annual Mastering Scientific Evidence in DWI/DUI Cases</u>	20.75	1.00
2/22/2008	900036581	<u>Jury Selection</u>	1.25	0.00
TOTAL CLE HOURS REPORTED DURING THE 2009 COMPLIANCE YEAR			24.25	1.00

2009 CLE Summary Information

	Participatory Hours	Participatory Ethics	Self-Study Hours	Self-Study Ethics	Total Hours	Total Ethics
1. Carried Forward From 2008	15.00	3.00	0.00	0.00	15.00	3.00
2. Hours Earned During 2009	24.25	1.00	0.00	0.00	24.25	1.00
3. Hours Applied Toward 2009	15.00	3.00	0.00	0.00	15.00	3.00
4. Hours Needed For 2009	0.00	0.00	0.00	0.00	0.00	0.00
5. Carry Forward To 2010	15.00	1.00	0.00	0.00	15.00	1.00
6. Hours Needed in 2010	1.00	1.00	1.00	1.00	2.00	2.00

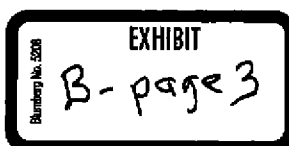
2009 Compliance Notes

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2010 MCLE Compliance Information (Prior Year)

Membership Status: **ACTIVE**
 Name: **MR. GARY ROWE THOMAS**
 MCLE Reporting Status: **REGULAR**
 Compliance Dates: **1/2/2009 thru 1/1/2010**
 MCLE Compliance Status: **IN COMPLIANCE**

ATTENTION:

All requirements for the 2010 MCLE compliance year have been met.

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Home

Address1:
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 City, State, Zip: **AUSTIN, TX 78739**

2010 CLE Activities

Date	Course Id	Title	Credit Hours	Ethics Hours
8/25/2009	901183540	<u>Medical Planning for Your Parent, What You Can Do, What You</u>	0.50	0.25
8/14/2009	901184399	<u>7th Annual Top Gun DWI</u>	7.00	0.00
6/26/2009	901178269	<u>Opening Statements</u>	1.25	0.00
6/19/2009	901178268	<u>Search and Seizure</u>	1.25	0.00
6/12/2009	901178267	<u>Evidence</u>	1.25	0.00
6/6/2009	901179409	<u>22nd Annual Rusty Duncan Advanced Criminal Law Seminar</u>	16.75	4.25
5/29/2009	901178263	<u>Driver's License Suspension</u>	1.25	0.00
5/15/2009	901178261	<u>DWI Defenses</u>	1.25	0.00
5/11/2009		Other Self-study	5.00	1.00
5/8/2009	901178260	<u>Child Abuse Cases</u>	1.25	0.00
5/7/2009	900046397	<u>Why You Should Care About Appraisals</u>	0.50	0.00

TOTAL CLE HOURS REPORTED DURING THE 2010 COMPLIANCE YEAR 37.25 5.50

2010 CLE Summary Information

	Participatory Hours	Participatory Ethics	Self-Study Hours	Self-Study Ethics	Total Hours	Total Ethics
1. Carried Forward From 2009	15.00	1.00	0.00	0.00	15.00	1.00
2. Hours Earned During 2010	32.25	4.50	5.00	1.00	37.25	5.50
3. Hours Applied Toward 2010	14.00	2.00	1.00	1.00	15.00	3.00
4. Hours Needed For 2010	0.00	0.00	0.00	0.00	0.00	0.00
5. Carry Forward To 2011	15.00	3.00	0.00	0.00	15.00	3.00
6. Hours Needed in 2011	0.00	0.00	0.00	0.00	0.00	0.00

2010 Compliance Notes

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EXHIBIT

Exhibit No. 206

B- page 4

Gary Thomas

From: Merianne Gaston [Merianne.Gaston@TEXASBAR.COM]
Sent: Thursday, September 17, 2009 5:14 PM
To: garyrthomas@austin.rr.com
Subject: RE: E-Mail [College Web]

Mr. Thomas,

Thank you for your membership in the College of the State Bar of Texas! We greatly value your membership and hope that you continue to enjoy the benefits of your membership, including the Online Library.

Yours truly,

Merianne Gaston

Merianne Gaston
Managing Director
The College of the State Bar of Texas
512/427-1819

-----Original Message-----

From: postmaster@texasbarcollege.com [mailto:postmaster@texasbarcollege.com]
Sent: Thursday, September 17, 2009 5:00 PM
To: Merianne Gaston
Subject: E-Mail [College Web]

Name = Gary Thomas

email = garyrthomas@austin.rr.com

addressee =

message = Is there any way you all could email me something showing I am a member of the College? I am a member of the State Bar of Montana and the State Bar of South Dakota, and I want to send them both something showing my membership in the College. Thank you. Gary Thomas





Professionalism Through Education



Regular Membership

Benefits of Membership

We are an honor society chartered in 1981 by the Supreme Court of Texas. We recognize and represent lawyers who make an extraordinary commitment to professional education. Here's why you should consider investing the initial \$60 (\$35 for New Lawyers) membership fee to become one of us:

- **JOIN FORCES** with the elite group of lawyers and judges who lead our profession.
- **DISTINGUISH YOURSELF** by displaying The College membership on your letterhead, your business cards, on your web site, and in professional notices in public media.
- **CREATE AN OPPORTUNITY** to adjust your compensation as an attorney, commensurate with your special status as a member of The College.
- **QUALIFY FOR DISCOUNTS** when attending live or video programs of Texas Bar CLE, the State Bar's award-winning CLE department.
- **RECEIVE A DISCOUNT** on the registration fee for The College's annual "Summer School," presented by Texas Bar CLE, which provides updates in all major areas of practice.
- **GET A FREE ANNUAL SUBSCRIPTION TO THE ONLINE LIBRARY**, a service of www.TexasBarCLE.com, which provides searchable, 24-7 access to Texas Bar CLE course materials from 1998 to date.
- **BE PERMITTED TO SET UP AND PRESENT "CUSTOM CLE"** programs in your community sponsored by The College. These are anytime, anywhere video replays of Texas Bar CLE advanced courses and topical programs, with full written materials, at a 61% discount from the retail price.
- **BENEFIT FROM The College PRESS RELEASES ABOUT YOU** sent to your hometown newspapers.

In addition to the member benefits mentioned above, The College:

- Sponsors Texas Bar CLE's free e-mail digest service whereby lawyers receive weekly summaries of Texas appellate cases, customized for their practice areas (See www.TexasBarCLE.com).
- Awards grants to local bar associations needing financial help in presenting CLE programs.
- Publishes a newsletter with information about activities and benefits three times each year.
- Provides this web site, TexasBarCollege.com, with complete information about The College and its programs.
- Presents new members a distinctive certificate suitable for framing and a portfolio with The College logo.
- Sells members shirts, jackets, and caps displaying The College logo.

Requirements for Initial Membership

1. You must be a member in good standing of the State Bar of Texas.
2. For your initial membership year, you must have accumulated at least 80 hours of accredited CLE within a three-year period, or at least 45 hours in the current calendar year.
3. At least three hours must be approved for legal ethics or professional responsibility credit.
4. Up to 15 hours of the 80-hour requirement, or 5 hours of the 45-hour requirement, may be met by viewing alone or listening alone to tapes of CLE programs, rather than by going to classes.
5. Membership is established and maintained on a calendar year basis. Subsequent years of membership require at least 30 hours of CLE, at least three of which must be in legal ethics or professional responsibility; seven hours may be by audio or videotape.



6. The membership fee is \$60. **New lawyers: If you attend at least 45 hours during your first year of licensure, you qualify for a reduced initial-year membership fee of only \$35.** Please complete the Application below.

Do You Qualify for Membership?

Join Right Now

You may join on-line, right now, using your major credit card, by clicking the button below.



Join Later

You may download an Adobe® Acrobat® version of the application for membership and a **Free** Adobe® Acrobat® Reader, by clicking the appropriate link below. You can then print the application on any computer platform and printer, with the help of the Adobe® Acrobat® Reader.



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