

AUGUST
2009
VOL. 100

TEXAS STATE BOARD REPORT

TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY, AUSTIN, TEXAS

Perry Names Bailes Presiding Officer; Appoints New Members

Governor Rick Perry has named **Greg Bailes**, CPA, of Bee Cave, presiding officer of the Texas State Board of Public Accountancy. In addition, he reappointed **James C. Flagg**, PhD, CPA, of College Station, to a full six-year term. Dr. Flagg was first named to a partial term in 2005. New appointees are **Everett R. (Ray) Ferguson**, CPA, Abilene; **Jon R. Keeney**, Taylor Lake Village; **Maribess L. Miller**, CPA, Dallas; and **Thomas G. Prothro**, CPA, Tyler. Their terms of office expire January 31, 2015.



Greg Bailes

Mr. Bailes has practiced public accountancy for 27 years and recently became audit partner/location leader for the Austin office of Weaver and Tidwell, LLP. Bailes had previously served as both the technology practice leader and audit leader for the Austin office of Deloitte & Touche. Earlier he practiced in Seattle for another Big Four firm. A graduate of the University of Texas at Austin, he is a former executive vice president and treasurer of the World Congress on Information Technology and a member of the UT McCombs School of Business Accounting Advisory Council.

Dr. Flagg, an associate professor in the Texas A&M University Mays Business School, is a graduate of Eckerd College and Texas A&M. He is a member of TSCPA and of AICPA's Board of Examiners. Before earning his doctorate, Dr. Flagg practiced with Coopers & Lybrand, LLP, where he was a senior audit manager. He is also a past chair of the American Accounting Association's Minority Faculty Development Committee.



James C. Flagg

Ray Ferguson of Abilene is a partner at Condley and Co., LLP, a firm he joined in 1981. He has been a board member of the West Central Texas Municipal Water District and Abilene Regional Medical Center's Institutional Review. A graduate of Abilene Christian University, Mr. Ferguson is a former chair of Leadership Abilene, a former city councilman, and a volunteer with Zambia Medical Mission.



Ray Ferguson

Jon Keeney is vice president of consulting for CSQ3, focusing on organizational efficiency in the energy industry. He holds a bachelor's degree from the University of Tennessee and master's from the University of Houston, and he is president of the Interfaith Caring Ministries Board of Directors and board member of Gloria Dei Lutheran Church and the Lutheran Endowment Fund.



Jon Keeney

Maribess Miller recently retired as a partner at PricewaterhouseCoopers LLP. A graduate of Texas Christian University, Ms. Miller was a board member of the Dallas Citizen Council and Dallas Regional Chamber of Commerce and board chair of the Texas Health Institute. She is also a board member of the Dallas chapter of the International Women's Forum; the Executive Committee, Dallas Center for the Performing Arts; and Dallas Symphony Orchestra.



Maribess Miller

Thomas G. Prothro, CPA, of Tyler, is president of Prothro, Wilhelmi, and Co., PLLC, Certified Public Accountants. Mr. Prothro is past president of the Rose City Kiwanis and a member of the Development Board of the University of Texas Health Science Center, City of Tyler Tax Abatement Committee, and Leadership Tyler. He is a UT Austin graduate.



Tom Prothro

ALSO IN THIS ISSUE

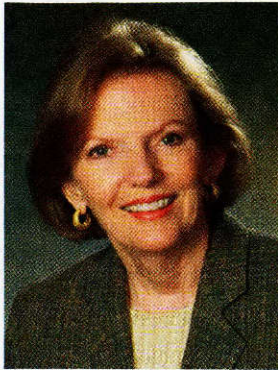
- 2 CPE Sponsors
- 3 Enforcement Actions
- 5 Peer Review
- 9 Swearing-in Ceremony

10-51

rec'd Feb 4, 2010

U of NT Dep. Libraries
76203

Board member Catherine J. Rodewald, president of Prudential Asset Resources Inc. in Dallas, was recently recognized by the Dallas Business Journal as a "Changemaker" in its Women in Business Award issue. She has served on the Texas Board since 2007. Prior to joining Prudential in 2002, Ms. Rodewald served as the first chief information officer for Hunt Consolidated Inc., a privately held, international organization with holdings in oil and gas, utilities, real estate, and financial services. A magna cum laude graduate of Northwood University, Ms. Rodewald is active in numerous civic activities in Dallas.



CPE Sponsors Successfully Completing Review
(since May 2009 Board Report)

Sponsor #	Sponsor Name	Date of Next Review	Status
001339	Angelina College	1/1/2011 - 12/31/2010	A
007217	AT&T, Inc.	1/1/2011 - 12/31/2011	A
009585	Auditsense	3/1/2011 - 2/29/2012	E
000548	Bixler & Co., LLP	2/1/2011 - 1/31/2012	A
005481	Cash America International, Inc.	3/1/2011 - 2/29/2012	A
000595	Chamberlain Hrdlicka White Williams & Martin	2/1/2011 - 1/31/2012	A
000515	Curtis Blakely & Co., PC	1/1/2011 - 12/31/2011	A
005018	Davidson, Freedle, Espenhover & Overby	1/1/2011 - 12/31/2011	A
009561	Epstein Becker Green Wickliff & Hall PC	2/1/2011 - 1/31/2012	A
001424	Fancher & Company	2/1/2011 - 1/31/2012	A
005981	Gainer, Donnelly & Desroches, LLP	2/1/2011 - 1/31/2012	A
009556	Gary A. Morris	1/1/2011 - 12/31/2011	A
009575	Gibson Ruddock Patterson LLC	3/1/2011 - 2/28/2012	A
003371	Holt Development Services, Inc.	3/1/2011 - 2/29/2012	A
003915	Inst of Intl Auditors - San Antonio Chapter	1/1/2011 - 12/31/2011	A
009124	Intuit, Inc.	4/1/2011 - 3/31/2012	A
005940	Lennox International, Inc.	1/1/2011 - 12/31/2011	A
008282	Lockart, Atchley & Associates, LLP	3/1/2011 - 2/29/2012	A
007243	Malnory McNeal & Company, PC	2/1/2011 - 1/31/2012	A
000606	Melton & Melton, LLP	2/1/2011 - 1/31/2012	A
000388	Panhandle Chapter of Texas Society CPAS	1/1/2011 - 12/31/2011	A
000389	Permian Basin Chapter of TSCPA	1/1/2011 - 12/31/2011	E
008878	Plan Benefit Services, Inc.	3/1/2011 - 2/28/2012	A
005005	Salmon Sims Thomas & Associates, PLLC	1/1/2011 - 12/31/2011	A
000509	Seidel, Schroeder & Co	1/1/2011 - 12/31/2011	A
009567	Snelling Professional Services	2/1/2011 - 1/31/2012	A
009462	State Tax Advisors	1/1/2011 - 12/31/2011	A
002065	Strasburger & Price, LLP	2/1/2011 - 1/31/2012	A
008257	Strickler & Prieto, LLP	1/1/2011 - 12/31/2011	A
009566	Tammy Vasilatos, CPA, LLC	2/1/2011 - 1/31/2012	A
002705	Texas Bankers Association	2/1/2011 - 1/31/2012	A
009573	Texas Motor Transportation Association	3/1/2011 - 2/28/2012	E
009252	The Collaborative Law Institute of TX	12/1/2010 - 11/30/2011	E
009558	The Dolgoff Plan Corporation	1/1/2011 - 12/31/2011	A
005087	Travis, Wolff & Co., LLP	3/1/2011 - 2/29/2012	A
000387	TX Society of CPAS- South Plains Chapter	1/1/2011 - 12/31/2011	A
000535	TX Society of CPAS- Wichita Falls Chapter	2/1/2011 - 1/31/2012	A
000654	Werlein and Harris, PC	3/1/2011 - 2/28/2012	A

Registration Status: A = Currently active E = Currently expired

Texas CPAs should check our website for qualified CPE providers before enrolling in a CPE course.

TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY

333 Guadalupe
Tower 3, Suite 900
Austin, Texas 78701-3900

BOARD MEMBERS

GREGORY L. BAILES, CPA
PRESIDING OFFICER
DOROTHY M. FOWLER, CPA
ASSISTANT PRESIDING OFFICER
A. CARLOS BARRERA, CPA
TREASURER
JAMES C. FLAGG, PhD, CPA
SECRETARY

DAVID L. KING, CPA
MEMBER-AT-LARGE

JOHN W. (JAY) DUNBAR, CPA
EVERETT R. (RAY) FERGUSON, CPA
JON R. KEENEY
EVELYN M. MARTINEZ, ESQ.
MARIBESS L. MILLER, CPA
STEVE D. PEÑA, CPA
JAMES W. POLLARD
THOMAS G. PROTHRO, CPA
CATHERINE J. RODEWALD
JOHN W. STEINBERG, CFE

EXECUTIVE DIRECTOR
WILLIAM TREACY

EDITOR
BARBARA C. STOOKSBERRY

Accounting/Administration
(512) 305-7800
FAX (512) 305-7854
accounting@tsbpa.state.tx.us

CPE
(512) 305-7844
FAX (512) 305-7875
licensing@tsbpa.state.tx.us

Enforcement
(512) 305-7866
FAX (512) 305-7854
enforcement@tsbpa.state.tx.us

Executive Director
(512) 305-7800
FAX (512) 305-7854
executive@tsbpa.state.tx.us

Licensing/Peer Review
(512) 305-7853
FAX (512) 305-7875
licensing@tsbpa.state.tx.us

Publications
(512) 305-7804
FAX (512) 305-7875
publicinfo@tsbpa.state.tx.us

Qualifications
(512) 305-7851
FAX (512) 305-7875
exam@tsbpa.state.tx.us

**ACTIONS TAKEN BY THE BOARD
MAY 28, 2009**

A. AGREED CONSENT ORDERS

BEHAVIORAL ENFORCEMENT COMMITTEE

1. **Investigation No.:** 09-04-01L
Hometown: El Paso
Respondent: Joe A. Dominguez
Certificate No.: 012843
Firm License No.: C04938
Rules Violations: 501.90(4), 501.91
Act Violations: 901.502(6), 901.502(10), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's certificate and firm license were revoked. Respondent was required to pay \$380.28 in administrative costs within 30 days of the date the Board ratified the Board order.

On October 15, 2008, respondent pleaded guilty to a violation of 31 U.S.C. 5324, structuring of financial transaction, a felony offense. In addition, respondent failed to report the conviction within 30 days of the event.

2. **Investigation No.:** 09-02-13L
Hometown: Austin
Respondent: Leslie Sheridan Ernstmeyer
Certificate No.: 064118
Firm License No.: C06340
Rules Violations: 501.90(2), 501.90(9)
Act Violations: 901.502(6), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's certificate and firm license were revoked. Respondent was required to pay \$504.50 in administrative costs within 30 days of the date the Board ratified the Board order.

Respondent embezzled approximately \$200,000 from Mark C. Lane and/or Capital Motion Pictures, LLC.

3. **Investigation No.:** 09-04-02L
Hometown: Rowlett
Respondent: David Luverne McAlister
Certificate No.: 024567
Rules Violations: 501.90(4), 501.91
Act Violations: 901.502(6), 901.502(10), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's certificate was revoked. Respondent was required to pay \$319.68 in administrative costs within 30 days of the date the Board ratified the Board order.

On October 1, 2007, respondent pleaded guilty to three counts of aggravated sexual assault, child under 14, a 1st degree felony.

4. **Investigation No.:** 07-12-04L
Hometown: Houston
Respondent: Joel Saul Winograd
Certificate No.: 020756
Rules Violations: 501.81 and 501.83
Act Violation: 901.502(6)

Respondent entered into an Agreed Consent Order with the Board whereby respondent was reprimanded. Respondent was required

to pay an administrative penalty of \$1,000 and \$385.05 in administrative costs within 30 days of the date the Board ratified the Board order.

Respondent practiced public accountancy in an unregistered firm and with an improper firm name.

TECHNICAL STANDARDS REVIEW I COMMITTEE

1. **Investigation No.:** 03-10-17L and 03-10-18L
Hometown: Fort Worth
Respondents: Michael Lee Estes and Mike Estes, PC
Certificate No.: 016842
Firm License No.: C04669
Rules Violations: 501.60, 501.61, 501.62, 501.74, 501.90(7)
Act Violations: 901.502(6), 901.502(9), 901.502(11)

On September 21, 2006, the Board ratified an Agreed Consent Order (ACO) placing respondents on a four-year probated suspension for issuing Public Housing Authority (PHA) audit engagements that failed to meet professional standards and for entering into a settlement agreement with Housing and Urban Development (HUD) that limited respondent Estes's ability to perform PHA audits.

Respondent Estes's actions constituted violations of the following Board Rules: 501.60 regarding generally accepted auditing standards; 501.61 regarding generally accepted accounting principles; 501.62 regarding other professional standards; 501.74 regarding competence; and 501.90(7) regarding a voluntary consent decree concerning the right to practice before a federal agency for a cause which, in the Board's opinion, warrants action. Respondent also violated these sections of the Act: 901.502(6) regarding a violation of the Rules of Professional Conduct; 901.502(9) regarding a voluntary consent decree concerning the right to practice before a federal agency for a cause which, in the Board's opinion, warrants action; and 901.502(11) regarding conduct indicating a lack of fitness to serve the public as a professional accountant.

The ACO contained a clause allowing for early termination of the probation if the Committee was satisfied that respondent had met all of his obligations under the ACO and had attained sufficient understanding of applicable professional standards to merit early termination. At its April 29, 2009, meeting, the Committee voted to recommend termination of probation, subject to Board approval.

2. **Investigation No.:** 08-10-01L
Hometown: Houston
Respondent: B. J. Thomas
Certificate No.: 030165
Rules Violation: 501.90(7)
Act Violations: 901.502(6), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's certificate was surrendered for revocation in lieu of further disciplinary proceedings.

On March 28, 1996, respondent's certificate was revoked in a proceeding of the State Office of Administrative Hearings because of non-payment of licensing fees for three years. Accordingly, the Board lost jurisdiction over the respondent. Subsequently, respondent was suspended from practicing before the Securities and Exchange Commission from March 11, 1997, until July 13, 2007.

ENFORCEMENT ACTIONS

On September 13, 2008, the Board issued a license to respondent upon payment of back fees and penalties and submission of 120 hours of continuing professional education (CPE), and the Board regained jurisdiction over the respondent. A complaint was filed against respondent on October 2, 2008, in regard to the SEC suspension, and respondent was provided with the opportunity to respond to the complaint and to show compliance with the law.

TECHNICAL STANDARDS REVIEW II COMMITTEE

- Investigation No.:** 07-07-08L
Hometown: Bellaire
Respondent: Jeffrey McMahon
Certificate No.: 034206
Rules Violation: 501.90(7)
Act Violations: 901.502(6), 901.502(9)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's license was placed on probated suspension for a five-year period. Respondent was required to pay \$288.55 in administrative costs and may petition the TSR II Committee to end probation early if respondent successfully petitions the Securities and Exchange Commission (SEC) to lift its suspension of his right to practice before that agency.

Although he neither admitted nor denied the allegations, respondent consented to the entry of the Final Judgment and the SEC order.

B. AGREED CEASE AND DESIST ORDERS

- Investigation No.:** 09-02-01N
Hometown: Magnolia
Respondent: Paula Newman
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent offered to perform audits, reviews, and compilations although respondent does not hold a license in Texas.

- Investigation No.:** 09-02-08N
Hometown: Brady
Respondent: Kaylee Lancaster
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the CPA designation although respondent is not licensed in Texas.

- Investigation No.:** 09-03-03N
Hometown: Lewisville
Respondent: TaxMaster Tax Refund Center
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the CPA designation although respondent is not licensed in Texas.

- Investigation No.:** 09-03-04N
Hometown: Corpus Christi
Respondent: George E. Baucom
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent performed a review although respondent does not hold a license in Texas.

- Investigation No.:** 09-03-06N
Hometown: New Braunfels
Respondent: Patricia Ivy
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the CPA designation although respondent is not licensed in Texas.

- Investigation No.:** 09-03-07N
Hometown: Weimar
Respondent: Gerard Willrich Company, LLC
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent performed a compilation and used the CPA designation although respondent does not hold a license in Texas.

- Investigation No.:** 09-03-08N
Hometown: Navasota
Respondent: Debra M. White-Finke
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent continued to use the CPA designation after agreeing to comply with the Board's previous request to stop. The respondent is not licensed in Texas.

ENFORCEMENT ACTIONS

8. **Investigation No.:** 09-03-40N
Hometown: Mesquite
Respondent: Accurate Business Service
Act Violation: 901.453

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent continued to use the term "accounting" after agreeing to comply with the Board's previous request to stop. The respondent is not licensed in Texas.

9. **Investigation No.:** 09-03-46N
Hometown: Richmond
Respondent: Fast Track Accounting Services
Act Violations: 901.451, 901.453

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the terms "Certified Public Accountant" and "accounting" although respondent is not licensed in Texas.

10. **Investigation No.:** 09-03-82N
Hometown: San Antonio
Respondent: Edward E. Robinson
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the CPA designation although respondent is not licensed in Texas.

11. **Investigation No.:** 08-12-05N
Hometown: Houston
Respondent: Brian P. Fenske
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the CPA designation although respondent is not licensed in Texas.

C. PROPOSAL FOR DECISION

1. **Investigation No.:** 08-06-02L
Hometown: Houston
SOAH Docket No.: 457-09-1741
Respondent: Ernest Waite Sell, Jr.
Certificate No.: 026263

Rules Violations: 515.8(b), 501.81, 501.82, 501.90
Act Violations: 901.502(12), 901.502(6), 901.502(11)

Board staff brought a disciplinary action against respondent at the State Office of Administrative Hearings. Staff alleged that respondent violated Board Rule 515.8(b) and Section 901.502(12) of the Public Accountancy Act when respondent (1) failed to notify the Board of his reentry into the workforce; (2) failed to complete a new license renewal form; (3) failed to pay the licensing fee for the period he prepared the tax returns; and (4) failed to report the continuing professional education required for the period he prepared tax returns. Staff further alleged that respondent (1) violated Board Rule 501.81 and Act Section 901.502(6) when respondent used the firm name "Ernest W. Sell, Jr., CPA" on letterhead and business cards when his firm did not hold a current license; (2) committed a moderate violation of the Board's rule of professional conduct set forth in 22 TAC Section 501.82 and Section 901.502(6) of the Act when he misrepresented facts on his letterhead; (3) committed a moderate violation of the Board's rule of professional conduct set forth in 22 TAC Section 501.82 and Section 901.502(6) of the Act when he claimed on his business cards that his firm maintained a licensing status that the Board does not recognize; and (4) violated 22 TAC Section 501.90 and Section 901.502(6) of the Act when he committed an act that reflected adversely on his fitness to engage in the practice of public accountancy by using offensive, profane, derogatory language and calling a member of Board staff a racial slur.

(continued on next page)

Does Your Firm Need a Peer Review?

Firms performing any engagement under the following must undergo peer review:

- Statements on Auditing Standards (SASs)
 - Audits
- Statements on Standards for Accounting and Review Services (SSARS)
 - Review of financial statements
 - Compilation of financial statements with disclosures
 - Compilation of financial statements where "Selected information-Substantially all disclosures required are not included"
 - Compilation of financial statements that omit substantially all disclosures. (Compilation engagement performed under SSARS No. 8 where an engagement letter was issued instead of a report)
- Statements on Standards for Attestation Engagements (SSAEs)
 - Examination of prospective financial statements
 - Compilation of prospective financial statements
 - Agreed-upon procedures of prospective financial statements
 - Examinations of written assertions
 - Review of written assertions
 - Other agreed-upon procedures
- Government Auditing Standards issued by the U.S. Government Accountability Office

Firms that do not perform any of the above services may claim an exemption from the peer review.

Enforcement / continued

The Administrative Law Judge found that respondent violated Board Rules 515.8(b), 501.81, 501.82, and 501.90 and Act Sections 901.502(12), 901.502(6), and 901.502(11) and recommended that the

Board revoke respondent's certificate and assess an administrative penalty of \$3,000. The Board adopted the recommendation of the administrative law judge and revoked respondent's certificate and assessed the recommended penalties and administrative costs.

ACTIONS TAKEN BY THE BOARD

JULY 23, 2009

A. AGREED CONSENT ORDERS

BEHAVIORAL ENFORCEMENT COMMITTEE

1. **Investigation No.:** 09-02-14L
Hometown: Austin
Respondent: Monty Lee Alston
Certificate No.: 085315
Rules Violations: 501.90(4), 501.90(5)
Act Violations: 901.502(6), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's certificate was revoked. Respondent must pay \$691.08 in administrative costs within 30 days of the date the Board ratified the Board order.

On July 7, 1995, respondent was convicted of a DWI, a misdemeanor offense; on November 25, 1995, respondent was convicted of a DWI 2nd, a misdemeanor; and on December 10, 2008, respondent was convicted of a DWI 3rd, a 3rd degree felony offense.

2. **Investigation No.:** 08-11-03L
Hometown: Houston
Respondent: Roosevelt Everett Bassie
Certificate No.: 059203
Firm License No.: T00450
Rules Violations: 501.80, 501.81, 501.83, 501.93, 527.4
Act Violations: 901.502(6), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's certificate was revoked. However, the revocation was stayed, and respondent was placed on probation for two years. Respondent shall provide proof of current and issued firm registration and proof of firm name change to the Board within 30 days of the date the Board ratified the Board order. Respondent must also provide proof of completion of a peer review within 180 days of the date the Board ratified the Board order. In addition, respondent must pay an administrative penalty of \$5,000 and \$513.48 in administrative costs within 30 days of the date the Board ratified the Board order.

Respondent practiced public accountancy with a delinquent, expired individual license; is practicing public accountancy with a held, expired firm license; is practicing public accountancy with an improper firm name; failed to participate in the Board's peer review program; and failed to respond to a Board communication dated November 6, 2008.

3. **Investigation No.:** 08-11-10L
Hometown: Henderson
Respondent: Carl Burris
Certificate No.: 021362
Firm License No.: S01406
Rules Violations: 501.80, 501.81, 527.4
Act Violations: 901.502(6), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's individual license was suspended for a period of two years from the effective date of the Board order. However, the suspension was stayed and respondent was placed on probation for two years. Respondent must complete and submit proof of completion of 16 hours of live CPE in the area of compilations and reviews within 90 days of the date the Board ratified the Board order. Respondent shall provide proof of a current and issued firm license to the Board within 30 days of the date the Board ratified the order. In addition, respondent must pay an administrative penalty of \$3,000 and \$557.88 in administrative costs within 30 days of the date the Board ratified the Board order.

4. **Investigation No.:** 08-09-07L
Hometown: Missouri City
Respondent: Robert Michael Camp
Certificate No.: 020782
Rules Violations: 501.74, 501.76, 501.90(11), 501.93
Act Violations: 901.502(6), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's certificate was revoked for a period of two years. However, the revocation was stayed, and respondent was placed on probation for two years. Respondent shall make a quarterly report to the Board. In addition, respondent must pay an administrative penalty of \$4,000 and \$674.36 in administrative costs within 30 days of the date the Board ratified the Board order.

Respondent failed to complete a client's tax engagement, failed to return the client's records, failed to respond to the client's inquiries, and failed to respond to the Board's written communications dated September 18 and November 10, 2008.

5. **Investigation Nos.:** 07-08-02L, 08-03-04L, 09-02-06L
Hometown: Waco
Respondent: Freddy Bernard Dulock
Certificate No.: 008780
Firm License No.: C01912
Rules Violations: 501.74, 501.76, 501.81, 501.90(11)
Act Violations: 901.502(6), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's certificate was revoked for one year. The revocation was stayed, and respondent was placed on probation for one year. Respondent shall make quarterly reports to the Board. Within 15 days of the date the Board ratified the order, respondent shall remit \$3,500 in restitution to each client and engage a third party to organize respondent's files; within 30 days, submit proof that restitution was made; and within 60 days, provide a completion report regarding organization of the files. Respondent, through his counsel and with the consent of his clients, shall seek the waiver of any penalty and/or interest assessed by the IRS because of the late filing of the client's tax return(s). If penalties and/or interest are not waived, respondent shall reimburse his clients the total amount

ENFORCEMENT ACTIONS

of the IRS assessment within 30 days of notification. In addition, respondent must pay \$1,683.67 in administrative costs within 30 days of the date the Board ratified the Board order.

6. **Investigation Nos.:** 02-04-19L
Hometown: McAllen
Respondent: Pedro Espinoza
Certificate No.: 030621
Rule Violation: 513.15(d)
Act Violation: 901.502(12)

Respondent entered into an Agreed Consent Order with the Board whereby respondent was reprimanded. Respondent must pay an administrative penalty of \$2,000 within 30 days of the date the Board ratified the order. Respondent is the resident manager of a firm that did not claim an exemption from peer review and thus was required to report the results of its peer review to the Board. Respondent did not report the results of a peer review scheduled for February 21, 2005, until June 27, 2008.

7. **Investigation No.:** 09-02-17L
Hometown: Fredericksburg
Respondent: Marc Allen Jacobi
Certificate No.: 062273
Firm License No.: T09113
Rules Violations: 501.81, 527.4
Act Violation: 901.502(6)

Respondent entered into an Agreed Consent Order with the Board whereby respondent was reprimanded. Respondent must submit proof of completion of a peer review within 180 days of the date the Board ratified the Board order. In addition, respondent must pay an administrative penalty of \$2,000 and \$549 in administrative costs within 30 days of the date the Board ratified the Board order.

Respondent practiced public accountancy in an unregistered entity and failed to participate in the Board's peer review program.

8. **Investigation No.:** 09-02-16L
Hometown: Midland
Respondent: Eddie William Schulte, Jr.
Certificate No.: 014292
Firm License No.: S01045
Rule Violation: 501.90
Act Violations: 901.502(2), 901.502(6)

Respondent entered into an Agreed Consent Order with the Board whereby respondent had to pay an administrative penalty of \$2,000 and \$540.12 in administrative costs within 30 days of the date the Board ratified the Board order.

Respondent was issued a censure by the IRS based on respondent's failure to file his individual tax return for years 2002 and 2003 and for respondent's failure to timely file his individual tax return for years 1999 and 2001.

9. **Investigation No.:** 08-11-04L
Hometown: Rockwall
Respondent: Geoffrey Laurence Wallace
Certificate No.: 053346
Rules Violations: 501.90(5), 501.91
Act Violations: 901.502(6), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent's certificate was revoked. However, the

revocation was stayed, and respondent was placed on probation for two years. Respondent shall make a quarterly report to the Board. In the event that respondent receives a felony conviction, the probation will be lifted, and respondent's certificate will be revoked. In addition, respondent must pay an administrative penalty of \$2,000 and \$755.02 in administrative costs within 30 days of the date the Board ratified the Board order.

On February 16, 2004, respondent pleaded guilty to public intoxication and open container; on June 11, 2008, respondent pleaded guilty to deadly conduct, a Class A misdemeanor; on February 5, 2008, respondent was arrested for driving while intoxicated, a Class B misdemeanor. Respondent failed to report the June 11, 2008, conviction to the Board within 30 days of the event.

10. **Investigation No.:** 09-05-16L
Hometown: Dallas
Respondent: Kamme Sue Wirz
Certificate No.: 056290
Rules Violations: 501.90(4), 501.91
Act Violations: 901.502(6), 901.502(10), 901.502(11)

Respondent entered into an Agreed Consent Order with the Board whereby respondent surrendered her certificate for revocation in lieu of further disciplinary proceedings. In addition, respondent must pay \$335.88 in administrative costs within 30 days of the date the Board ratified the Board order.

On September 25, 2008, respondent pleaded guilty to DWI with a child under the age of 14, a felony offense. As a result, respondent was placed on deferred adjudication for a period of two years. Further, respondent failed to report the felony deferred adjudication within 30 days of the event.

TECHNICAL STANDARDS REVIEW I

1. **Investigation Nos.:** 08-03-14L and 08-06-07L
Hometown: Houston
Respondents: Joel D. Reed and Reed & Abrasley, PLLC
Certificate No.: 018092
Firm License No.: C06636
Rules Violations: 501.81, 501.94
Act Violations: 901.502(5), 901.460, 901.502(6)

Respondent Reed entered into an Agreed Consent Order with the Board on behalf of himself and respondent firm whereby respondent Reed and respondent firm were reprimanded for failure to obtain a firm license timely, failure to enroll in peer review, and failure to complete mandatory continuing professional education timely. Further, respondent Reed's license was placed on probated suspension for two years, and an administrative penalty of \$1,000 and administrative costs were assessed.

Respondent Reed practiced public accountancy in an unlicensed firm by the name of Reed and Abrasley, PLLC, during July 2007–April 2008. Respondent firm issued attest services under the definition at Board Rule 501.52(4)(B), which are subject to peer review, while the firm was unlicensed and not enrolled in peer review. Respondent Reed, resident manager of the respondent firm, practiced public accountancy with a delinquent, expired individual license for over five and a half months due to his failure to complete the required 63 hours of continuing professional education.

2. **Investigation No.:** 04-02-19L
Hometown: McAllen
License Nos.: C04896
Respondents: Espinoza & Company
Rules Violation: 527.6
Act Violation: 901.502(12)

Respondent firm entered into an Agreed Consent Order with the Board whereby respondent firm was reprimanded. Respondent was required to pay an administrative penalty of \$2,000 within 30 days of the date the Board ratified the order for failure to report results of a peer review timely. Respondent firm did not claim an exemption from peer review and was required to report the results of its peer review to the Board. Respondent did not report results of a peer review scheduled for February 21, 2005, until June 27, 2008.

TECHNICAL STANDARDS REVIEW II

Investigation No.: 08-10-10L
Hometown: Plano
Respondent: Alvin L. Dahl
Certificate No.: 064514
Rules Violation: 501.90(7)
Act Violations: 901.502(6), 901.502(9)

Respondent entered into an Agreed Consent Order whereby respondent's certificate was placed on limited scope status. Respondent is prohibited from acting as the chief financial officer or officer or employee of equivalent responsibility in a publicly traded company for five (5) years or until he successfully petitions the Technical Standards Review II Committee to lift the prohibition. In addition, respondent must pay an administrative penalty of \$1,000 and \$88 in administrative costs within 30 days of the date the Board ratified the Board order.

On August 8, 2008, the Securities and Exchange Commission (SEC) issued an order suspending respondent's right to appear and practice before it as an accountant for at least one year. The SEC alleged that respondent, in his capacity as chief financial officer of 21st Century Technologies, Inc., prepared that company's false and misleading Form 10-K for 2003 and Forms 10-Q for the first and second quarters of 2004. In addition, the SEC alleged that respondent violated Exchange Act Rule 13a-14 when he certified that the filings were complete and accurate, even though they contained material omissions and mischaracterized certain loans made by the company. Respondent consented to the entry of the SEC order.

B. AGREED CEASE AND DESIST ORDERS

1. **Investigation No.:** 08-04-66N
Hometown: Houston
Respondent: Joyce Agu
Act Violations: 901.451, 901.453

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent performed audits and held herself out as an "accountant" and "auditor" although respondent does not hold a license in Texas.

2. **Investigation No.:** 09-02-06N
Hometown: Navasota
Respondent: Brevis Lingua, Inc.
Act Violation: 901.453

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the term "accountant" although respondent is not licensed in Texas.

3. **Investigation No.:** 09-05-01N
Hometown: Addison
Respondent: R. Byron Whitaker
Act Violations: 901.451, 901.453

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the CPA designation and the term "accounting" although respondent is not licensed in Texas.

4. **Investigation No.:** 09-05-14N
Hometown: Austin
Respondent: Gail Gordon
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the CPA designation although respondent is not licensed in Texas.

5. **Investigation No.:** 09-05-42N
Hometown: Dallas
Respondent: ERA Financial Services, LLC
Act Violation: 901.451

Respondent entered into an Agreed Cease and Desist Order with the Board whereby respondent will cease and desist from providing attest services and using reserved terms until or unless respondent complies with the registration and licensing provisions of the Act and until or unless respondent has obtained a license to practice public accountancy or certified public accountancy.

Respondent used the CPA designation although respondent is not licensed in Texas.

C. PROPOSALS FOR DECISION

1. **Investigation No.:** 09-02-12L
Hometown: Austin
Respondent: Jayne E. Schrader-Sanderson
Certificate No.: 049723
Firm License No.: T08541
Rule Violation: 501.90(17)
Act Violations: 901.502(6), 901.502(12)(C)

Swearing-in Ceremony

May 23, 2009



Board members who presented certificates during the Austin ceremony included CPAs Steve Peña, Dorothy Fowler, Greg Bailes, Carlos Barrera, and Dr. James Flagg.



Top Ten honorees in attendance were Andrew S. Gillman, Molly K. Smithee, Rachel M. Daniel, Julia E. Mullican, Philip S. Vaughan, and Hayley J. Rife. Not attending were Clint J. Presley, Terri L. Schroeder, Glenda M. Schwarz, Donald B. Walker, and William M. Weekly. A tie resulted in 11 honorees.



Fifty-year honorees at the May ceremony included, L-R, front row, William A. Brubaker, William R. Cross, Richard S. Thomas, Philip D. Stoner, Daniel Gorman, and Tommy M. Duvall; back row, Marshall D. Wommack, Edwin O. Sarratt III, Gerald F. Cox, Samuel P. Bell Jr., Thomas G. Romine, and John H. Cawood.

The Board thanks these members of the Austin chapter of the Texas Society of CPAs for their assistance before and during the ceremony: Linda Messing, Dan Popejoy, Carol Boyd, Gail Neely, Jay Scheumack, Jan Keeling, Nancy Foss, Michele Heyman, Arin Bernshausen, Janet Hagy, Diana Sullivan, Diana Maldonado, Bette Williams, Betty Works, and Christi Mondrik.

Enforcement Actions / continued

In Investigation No. 06-03-21L, on March 22, 2007, Board staff issued a Board order suspending respondent's individual and firm licenses for a period of five years. On January 19, 2009, respondent distributed or approved the distribution of a printed solicitation for tax preparation services by "Jayne Sanderson," including the statement "CPA: 15+years." On February 12, 2009, Board staff filed a Petition for Notice of Hearing and Complaint against the respondent at the State Office of Administrative Hearings (SOAH).

2. **Investigation No.:** 07-06-20L
Hometown: Plano
Respondent: Russell Bruce Wilson
Certificate No.: 037771
Firm License No.: T03572
Rules Violation: 501.93(c)

In Investigation No. 07-06-20L, on June 27, 2007, Board staff sent notice to the respondent alleging that respondent had failed to timely file a client's tax returns, prepared the tax returns incorrectly, failed to respond to the client's inquiries, and practiced public accountancy with delinquent, expired individual and firm licenses. Respondent failed to respond to the allegations or to claim subsequent Board letters dated August 9, 2007, November 13, 2007, December 19, 2007, and April 30, 2008, sent to his address and concerning the same complaint. On July 31, 2008, respondent faxed a partial response to the Board. On that same day, the Board faxed a letter to respondent asking for more information because respondent's response was insufficient. Respondent did not respond to that letter. On February 12, 2009, Board staff filed a Petition for Notice of Hearing and Complaint against the respondent at the State Office of Administrative Hearings.

(continued on p. 11)

CPE ACTIONS

The certificate of each respondent listed below was not in compliance with the Board's CPE requirements as of the date of the Board meeting. Each respondent was suspended for a period of three years or until the respondent complies with the licensing requirements of the *Public Accountancy Act*, whichever is earlier. Additionally, a \$100 penalty was imposed for each year the respondent continues to be in noncompliance with the Board's CPE requirements. The respondents were found to be in violation of *Section 501.94* of the Board's *Rules (Mandatory CPE)* and *Section 523.111 (Mandatory CPE Reporting)*, as well as *Section 901.411 (CPE)* of the *Act*.

Respondent, Location / Country	Board Date	Respondent, Location / Country	Board Date
James Charles Ash, Jr., Arlington, TX	05/28/2009	Christine Kuhn, Spring, TX	07/23/2009
James McLean Barker, Jr., Fort Worth, TX	05/28/2009	Vinton Edgar Lee, Jr., Dallas, TX	05/28/2009
Cary Dale Brown, Midland, TX	07/23/2009	Sherry J. Martinez, Allen, TX	05/28/2009
Deborah Fay Bynum, Carrollton, TX	05/28/2009	Michael Thomas Mason, Jr., Austin, TX	07/23/2009
Richard M. Choate, Dallas, TX	07/23/2009	Lori Griffin McCutcheon, Lucas, TX	05/28/2009
John Dennis Creedon, Sr., Corpus Christi, TX	05/28/2009	Lance Richard McMahan, Sr., San Antonio, TX	07/23/2009
David Paul Davis, Spring, TX	05/28/2009	Burton Edd Meador, Jr., Austin, TX	05/28/2009
Phillip Merle Davis, El Paso, TX	05/28/2009	Thomas Whitfield Moss, Jr., Houston, TX	07/23/2009
Cindy Lee Gardner, Pearland, TX	07/23/2009	Myrtle Leatrice Penelton, Missouri City, TX	07/23/2009
David Sebron Hall, Rowlett, TX	07/23/2009	David Mark Peterson, Bedford, TX	07/23/2009
Ronald D. Hall, Amarillo, TX	07/23/2009	Brandon Lee Polk, Abilene, TX	07/23/2009
John Eugene Hamer, Fort Worth, TX	07/23/2009	Roy Eugene Prestwood, Shreveport, LA	05/28/2009
Michael David Hampton, Austin, TX	07/23/2009	Dudley Paul Pryor, Atlanta, GA	07/23/2009
Robert David Hardy, Spring, TX	05/28/2009	Paul Clifton Rice, Houston, TX	05/28/2009
Joseph Francis Hicks, Weslaco, TX	07/23/2009	Sandra Maria Santas, Mico, TX	05/28/2009
Scott Thomas Holloway, Plano, TX	07/23/2009	Peri Leigh Courtney Sprague, Houston, TX	07/23/2009
Mona Lucille Hymel, Tucson, AZ	07/23/2009	Prakaijit Suraamornkul, Plano, TX	07/23/2009
Patricia Jo Johnson, Lewisville, TX	07/23/2009	Cheryl Warren Thomas, Sugar Land, TX	05/28/2009
Steven Gammell Johnson, McKinney, TX	07/23/2009	James Newman Wall, Houston, TX	07/23/2009
Harold Ernest Jones, Jr., Raleigh, NC	07/23/2009	Ann Smail Yett, Austin, TX	07/23/2009
Wageeh Anwar Kamel, Houston, TX	07/23/2009	Mario Zipagan Zipagang, Missouri City, TX	05/28/2009
Hilda Marie Da Graca Kouvelis, Rockwall, TX	07/23/2009		

THREE-YEAR DELINQUENT ACTIONS

The respondents listed below violated *Sections 901.502(4)* and *901.502(11)* of the *Public Accountancy Act* when they failed to pay license fees for three consecutive license periods. The certificate of each respondent was revoked without prejudice as the respondent was not in compliance as of the Board meeting date. Each respondent may regain his or her certificate by paying all the required license fees and penalties and by otherwise coming into compliance with the *Act*.

Respondent, Location / Country	Board Date	Respondent, Location / Country	Board Date
Osama Rafiq Alnobani, Riyadh, SAUDI ARABIA	05/28/2009	Ellen Wilburn Farley, Lewisville, TX	07/23/2009
James A. Antony, Arlington, TX	05/28/2009	Douglas Ellis Fast, Jr., Fort Wayne, IN	05/28/2009
James Richard Ayers, Houston, TX	07/23/2009	Stephen Lewis Feemster, Flower Mound, TX	05/28/2009
Eugene Wm. Bailey, Dallas, TX	05/28/2009	Chico Tarek Ford, Lewisville, TX	07/23/2009
Jennifer Ellen Ballew, The Woodlands, TX	05/28/2009	David B. French, Arlington, TX	05/28/2009
Brenda Sue Balsano, Houston, TX	07/23/2009	Evan Lewis Gedminas, San Antonio, TX	05/28/2009
Jamie Lynn Briley, Houston, TX	05/28/2009	Francis Young Grubb, Dallas, TX	07/23/2009
Scott Dawson Brown, Findlay, OH	07/23/2009	James Scott Hackney, Kingwood, TX	07/23/2009
Kimberly Burdorf, Frisco, TX	07/23/2009	Perry Mitchell Hamburger, Houston, TX	07/23/2009
Frank Trent Campbell, Dallas, TX	07/23/2009	Beth Toby Hare, Bondi, AUSTRALIA	07/23/2009
Shawn Wayne Clagg, Tulsa, OK	07/23/2009	Wendy F. Harrington, Houston, TX	05/28/2009
James Jess Clanton, Spokane, WA	07/23/2009	Diana Lynn Crenwelge Haverlah, Seguin, TX	05/28/2009
Lawrence Edward Clark, Fairfax, VA	05/28/2009	Alvin Steve Hidalgo, Dallas, TX	05/28/2009
Thomas Michael Czarnecki, San Antonio, TX	07/23/2009	Lori Ann House, San Diego, CA	07/23/2009
Charlotte Wai Deinhardt, Arlington, TX	07/23/2009	Michael W. Kastor, Austin, TX	07/23/2009
Raymond Francis Deschak, Arlington, TX	07/23/2009	Rajeev Kaul, New York, NY	07/23/2009
Matthew Brent Doll, Dallas, TX	07/23/2009	John E. Kehn, Jr., Niskayuna, NY	07/23/2009

ENFORCEMENT ACTIONS

Respondent, Location / Country	Board Date	Respondent, Location / Country	Board Date
Kenneth Verne Kelley, Houston, TX	07/23/2009	Larry Edwin Raines, Totowa, NJ	07/23/2009
Randall Dean Kelley, Dallas, TX	07/23/2009	Alan Gregg Ramirez, Cedar Park, TX	05/28/2009
Suzanne Denise Kessler, Spring, TX	05/28/2009	Aruna K. Ravi, Bethel Park, PA	05/28/2009
James King King, Grapevine, TX	05/28/2009	Carrie Denise Reeves, Deer Park, TX	07/23/2009
Nichole Painter King, Sugar Land, TX	07/23/2009	Hugh Robertson, Austin, TX	05/28/2009
Richard D. Kinley, Irving, TX	05/28/2009	Hector Rodriguez, El Paso, TX	05/28/2009
Richard Scott Knapp, Houston, TX	07/23/2009	Raymond Edward Schwartz, Tempe, AZ	07/23/2009
Curtis Lynn Kolinek, Fort Worth, TX	05/28/2009	Steven Jongsup Shin, Weston, FL	07/23/2009
Cheryl Lewis, Schertz, TX	07/23/2009	Brian Manning Smith, Huntington, NY	05/28/2009
Zhiqin Liu, Houston, TX	07/23/2009	Robert Passmore Smylie, Belton, TX	05/28/2009
Dallas Ervin Lucas, Jr., Los Angeles, CA	05/28/2009	Jeremy Bryan Staadeker, Austin, TX	05/28/2009
Ching Shiu Man, Rockwall, TX	05/28/2009	John Paul Stanford, Houston, TX	05/28/2009
Amin N. Maredia, Miami, FL	07/23/2009	Paul Marvin Stanton, Houston, TX	05/28/2009
Forrest Henry Maulsby, Weatherford, TX	07/23/2009	Lance Charles Stotts, Pearland, TX	07/23/2009
Melanie W. McMaster, Atlanta, GA	05/28/2009	Joyce A. Swan, San Antonio, TX	07/23/2009
Garry Matison Miles, Dallas, TX	05/28/2009	Barry Wayne Tate, The Woodlands, TX	07/23/2009
James C. Millstead, Dallas, TX	05/28/2009	Kyle Lee Thompson, Dallas, TX	05/28/2009
Charles Barrow Nolen, Dallas, TX	07/23/2009	Dena Timm, Dallas, TX	07/23/2009
Fred Nordhauser, San Antonio, TX	05/28/2009	Valerie Ann Corley Toalson, Tulsa, OK	07/23/2009
James Arthur Olson, Laredo, TX	07/23/2009	Mary Gail Ulrich, Wichita Falls, TX	07/23/2009
Lloyd R. Owen, III, Conroe, TX	07/23/2009	Joe Edward Walters, Garland, TX	05/28/2009
Mark Allan Patterson, Dallas, TX	05/28/2009	Kathleen Mary Wheaton, Spring, TX	05/28/2009
Sandra McVey Pettit, Dallas, TX	07/23/2009	John A. White, Denton, TX	05/28/2009
George Pope, Woodbury, MN	05/28/2009	Jack Allen Whitehorn, Georgetown, TX	05/28/2009
John William Porter, Houston, TX	05/28/2009	Gary Mark Willke, Grapevine, TX	05/28/2009

FAILURE TO COMPLETE LICENSE RENEWAL

The respondents listed below were found to be in violation of Section 501.80 (*Practice of Public Accountancy*) and 501.93 (*Responses*) of the Board's *Rules* and were also found to be in violation of Sections 901.502(6) (*Violation of a Rule of Professional Conduct*) and 901.502(11) (*Conduct Indicating a Lack of Fitness to Serve the Public as a Professional Accountant*) of the *Act*. The certificate of each respondent who was not in compliance at the time of the Board meeting was revoked without prejudice until such time as the respondent complies with the licensing requirements of the *Act*.

Respondent, Location / Country	Board Date	Respondent, Location / Country	Board Date
Peter Andrew Bunch, Houston, TX	05/28/2009	Sonia Singla, Houston, TX	05/28/2009
Brian Ernest Cejka, Dallas, TX	07/23/2009	Kevin Wayne Terpening, Taylor Lake Village, TX	05/28/2009
Jennifer Robin Henegan, Austin, TX	07/23/2009		

Enforcement Actions / continued from page 9

D. AGREED CONSENT ORDER-SETTLEMENT AGREEMENT

Investigation No.: 02-01-16L
Hometown: Houston
Respondent: Michael Lowther
Certificate No.: 021723

Respondent had entered into an Agreed Consent Order with the Board whereby respondent's license was suspended for two years. The ACO was based upon a voluntary consent decree entered into between respondent and the Securities and Exchange Commission (SEC).

The SEC determined that the respondent was aware that the risk of fraudulent financial reporting at Enron was high. It further determined that in accordance with applicable professional standards that Andersen assessed the risk of fraud at Enron and that respondent Lowther should have known that Enron possessed

many of the risk factors that should be considered in making that assessment. The SEC ordered that respondent engaged in improper professional conduct pursuant to the SEC's Rules of Practice and denied him the privilege of appearing or practicing before the SEC as an accountant for at least two years.

This matter had been referred to the State Office of Administrative Hearings, but prior to a final adjudication, the respondent and staff agreed to the terms of the ACO.

Peer Review Changes Made

Peer Review rules and Compliance Reporting Forms have changed. Please be sure to download and complete the proper form.

If your review was conducted
PRIOR to January 1, 2009, use **Form L0027A**.
 If your review was conducted
AFTER January 1, 2009, use **Form L0027B**.

RenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnlineRenewOnline

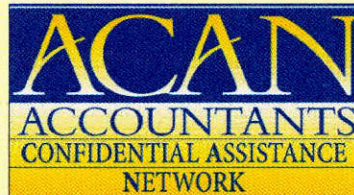
Moving??

Be sure to let us know.



Board rules require licensees to inform the Board within 30 days of a change of address.

- Online under "Online Services" at www.tsbpa.state.tx.us
- Email: licensing@tsbpa.state.tx.us
- Phone: 512-305-7853
- Mail: TSBPA
333 Guadalupe, Twr 3, Ste 900
Austin, TX 78701



Accountants Confidential Assistance Network

Assistance for CPAs, exam candidates, and accounting students with alcohol or drug dependency problems or mental health issues.

1-866-766-2226

VOLUNTEERS NEEDED

ACAN needs volunteers across the state. If you are a CPA in recovery and interested in volunteering, please call 1-866-766-2226.

LEGAL NOTICE: The identity and communications and fact of membership of anyone attending this group are confidential and protected under penalty of law under *Chapter 467 of the Texas Health and Safety Code*.

Administered by the TSCPA and Funded in Part by the Board