

DISCIPLINARY QUARTERLY REPORT

Reporting Period: January 1, 2020 – March 31, 2020

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court2

Matter of G. Paul Howes, Esq., (No. S-1-SC-23414). The New Mexico Supreme Court issued an order on January 13, 2020 reinstating Respondent to the practice of law.

Matter of Eric D. Dixon, Esq., (No. S-1-SC-37204). The New Mexico Supreme Court issued an order on January 13, 2020 reinstating Respondent to the practice of law.

Summary Suspensions

Total number of attorneys summarily suspended.....0

Administrative Suspensions

Total number of attorneys administratively suspended.....0

Disability Inactive Status

Total number of attorneys placed on disability inactive states0

Charges Filed

Charges were filed against an attorney for allegedly failing to keep a client reasonably informed about the status of a matter; failing to explain a matter to the extent reasonably necessary to permit the client to make an informed decision regarding representation; representing a client when the respondent was materially limited by Respondent’s own personal interest; failing to maintain complete records of all client funds; failing to maintain client’s funds in trust; failing to hold client funds separate from the lawyers’ own property; engaging in conduct involving dishonesty, fraud, deceit and/or misrepresentation; and engaging in conduct that is prejudicial to the administration of justice.

Charges were filed against an attorney for allegedly failing to competently represent a client; failing to act with reasonable diligence and promptness in representing a client; failing to

keep the client reasonably informed about the status of a matter; settling a claim with an unrepresented client or former client without first advising that client in writing of seeking the advice of independent counsel; failing to make reasonable efforts to expedite litigation consistent with the interests of a client; and engaging in conduct that is prejudicial to the administration of justice.

Charges were filed against an attorney for allegedly making a false statement of material fact in the course of a disciplinary proceeding and failing to honor letters of protection.

Charges were filed against an attorney for allegedly failing to act with reasonable diligence and promptness in representing a client; failing to communicate with the client; charging an unreasonable fee; failing to explain the basis and rate of fees in writing to the client; failing to give full cooperation in a disciplinary proceeding; and engaging in conduct prejudicial to the administration of justice.

Injunctive Relief

Total number of injunctions prohibiting the unauthorized practice of law1

Matter of Amy Lovell (Supreme Court No. S-1-SC-36439). A Motion For Order to Show Cause was filed against a non-lawyer for violation of a Supreme Court order date December 18, 2017 for violating the Rules Governing the Unauthorized Practice of Law. The Supreme Court found Respondent in Civil Contempt of Court for the violation of their Order dated December 18, 2017 and fined Respondent, ordered release of documents to disciplinary counsel, and ordered Respondent to pay costs to the Disciplinary Board.

Reciprocal Discipline

Total number of attorneys reciprocally disciplined1

Matter of Tametha D'Lyn les Pina, Esq. (No. S-1-SC-38061). The New Mexico Supreme Court issued an order on February 5, 2020, suspending Respondent from the practice of law effective *nunc pro tunc* November 18, 2019 for a period of three (3) years.

Reinstatement

Petitions for reinstatement filed1

Matter of (Sealed matter) The Disciplinary Board entered an order reinstating Respondent from probationary status to fully reinstated on January 27, 2020.

Formal Reprimands

Total number of attorneys formally reprimanded4

Matter of Shannon G. Pettus, Esq. (Disciplinary No. 2018-08-4409) a Formal Reprimand was issued at the Disciplinary Board meeting of January 17, 2020, for the violation of Rule 16-101, failing to provide competent representation to a client; Rule 16-103, failing to represent a client diligently; and Rule 16-804(D), engaging in conduct prejudicial to the administration of justice. The Formal Reprimand was published in the State Bar Bulletin issued February 12, 2020.

Matter of Julieanne H. Leonard, Esq. (Disciplinary No. 2018-12-4425 and 2019-07-4435) a Formal Reprimand was issued at the Disciplinary Board meeting of January 17, 2020, for the violation of Rule 16-101, failing to provide competent representation to a client; Rule 16-103, failing to represent a client diligently; and Rule 16-804(D), engaging in conduct prejudicial to the administration of justice. The Formal Reprimand was published in the State Bar Bulletin issued February 12, 2020.

Matter of Daniel L. Morris, Esq. (Disciplinary No. 2018-03-4427) a Formal Reprimand was issued at the Disciplinary Board meeting of January 17, 2020, for the violation of Rule 16-103, failing to represent a client diligently; Rule 16-104, failing to communicate with the client and failing to obtain consent on the settlements; Rule 16-115(D), failing to promptly disburse the settlement funds; and Rule 16-804(D), engaging in conduct prejudicial to the administration of justice. The Formal Reprimand was published in the State Bar Bulletin issued February 12, 2020.

Matter of David R. Jordan, Esq. (Disciplinary No. 2019-04-4430) a Formal Reprimand was issued at the Disciplinary Board meeting of January 17, 2020, for the violation of Rule 16-103, failing to represent a client diligently; Rule 16-104, failing to communicate with the client and failing to keep the client informed; Rule 16-302, failing to expedite litigation; and Rule 16-804(D), engaging in conduct prejudicial to the administration of justice. The Formal Reprimand was published in the State Bar Bulletin issued February 12, 2020.

Informal Admonitions

Total number of attorneys admonished1

An attorney was informally admonished for failing to provide competent representation to a client, failing to represent a client diligently, and failing to expedite litigation in violation of Rule 16-101, Rule 16-103, and Rule 16-302 of the Rules of Professional Conduct.

Diversion

Total number of attorneys referred to diversion0

Letters of Caution

Total number of attorneys cautioned7

Attorneys were cautioned for the following conduct: (1) *ex parte* contact with a represented party; (2) lack of diligence; (3) lack of competence (4 letters of caution issued); and (4) trust account violation.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations.....	1
Conflict of Interest.....	3
Neglect and/or Incompetence.....	74
Misrepresentation or Fraud.....	12
Relationship with Client or Court.....	39
Fees.....	8
Improper Communications.....	2
Criminal Activity.....	2
Personal Behavior.....	1
Other.....	29
Total number of complaints received.....	171