

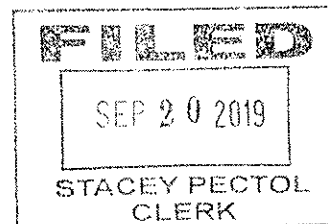
BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL A

IN RE: **BART CHARLES CRAYTOR**
 ARKANSAS BAR ID #93046
 CPC Docket No. 2019-023

CONSENT FINDINGS AND ORDER

The formal charges of misconduct upon which this Consent Findings and Order is based arose from Bart Charles Craytor's representation of Quayvon Peoples in a criminal appeal matter. Mr. Craytor is an Arkansas licensed attorney practicing primarily in New Boston, Texas. Following Mr. Craytor's receipt of the formal complaint, Mr. Craytor entered into discussion with the Executive Director which resulted in an agreement by consent pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2011).

1. In 2016, Peoples was charged with three counts of felony rape in Miller County, Arkansas. Peoples hired Craytor to represent him on the charges.
2. After a jury trial, Peoples was found guilty and sentenced to 30 years in the Arkansas Department of Corrections.
3. Peoples requested Craytor file an appeal of his conviction and on November 8, 2017, Craytor filed Defendant's Notice of Appeal. Peoples was declared indigent for purposes of the appeal.
4. Craytor made a request for the record in the case. The Court reporter completed the record providing a Certificate of Cost, a Certificate of Cost Paid showing Peoples as indigent, and a Certificate attesting to the authenticity of the record prepared.



5. On January 19, 2018, Craytor signed a Receipt for Picking Up Appeal acknowledging that he had picked up the record on that day. Craytor failed to lodge the record with the Supreme Court Clerk.

6. Peoples sent a letter dated June 10, 2018, to the Miller County Circuit Clerk requesting a copy of the record in his case. The clerk's office responded by letter dated June 14, 2018, advising Peoples that the transcript had been picked up by Craytor.

7. On January 3, 2019, approximately one year after Craytor picked up the record in his case, Peoples filed a Pro Se Motion to File Appeal, and a partial record.

8. On January 3, 2019, the Office of the Criminal Justice Coordinator of the Supreme Court of Arkansas, wrote Peoples a letter acknowledging receipt of Peoples' motion and attached documents. The letter acknowledged Peoples' motion as a Motion for Rule on the Clerk, which was necessary as Craytor had failed to tender the record within the ninety (90) day time frame.

9. On April 4, 2019, the Supreme Court issued its Opinion and Formal Order finding that Craytor had filed a timely notice of appeal but failed to tender the record within the required time frame. The Court also found that Craytor did not take any action to perfect Peoples appeal, nor was Craytor permitted by either the trial court or appellate court to withdraw from his representation of Peoples. Craytor was directed to file the remainder of the record in the case within ten (10) days of the Courts Opinion. Peoples' motion was treated as motion for rule on the clerk and granted.

10. Craytor failed to file the record as directed by the Court and on May 16, 2019, the Court removed Craytor as attorney for Peoples and appointed other counsel.

Upon consideration of the formal complaint and attached exhibit materials, admissions made by the respondent attorney, the terms of the written consent, the approval of Panel A of the

Committee on Professional Conduct, and the Arkansas Rules of Professional Conduct, the Committee on Professional Conduct finds:

1. That Craytor's conduct violated Rule 1.3 when (a) he failed to lodge the trial court record with the Arkansas Supreme Court Clerk within ninety (90) days of the filing of the notice of appeal, (b) he failed to lodge the trial court record with the Arkansas Supreme Court Clerk within ten (10) days of the Supreme Court's April 4, 2019, order for him to do so, and (c) he failed to perfect the appeal of his client Peoples within a reasonable time, failing to perfect the appeal at all.

2. That Craytor's conduct violated Rule 1.16(c) when still as attorney of record for Peoples in his appeal, Craytor failed to perfect Peoples' appeal and had not been relieved as attorney of record.

3. That Craytor's conduct violated Rule 3.2 when he failed to perfect the appeal of his client Peoples within a reasonable amount of time after filing the notice of appeal. Craytor did not file the record with the court or take any other action after filing the notice of appeal.

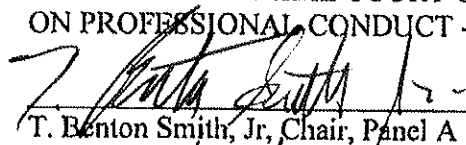
4. That Craytor's conduct violated Rule 3.4(c) when (a) he failed to lodge the trial court record with the Arkansas Supreme Court Clerk within ninety (90) days of the filing of the notice of appeal as required by Arkansas Rules of Appellate Procedure-Criminal and (b) he failed to lodge the trial court record with the Arkansas Supreme Court Clerk within ten (10) days of the Supreme Court's order for him to do so.

5. That Craytor's conduct violated Rule 8.4(d) when (a) he failed to lodge the trial court record with the Arkansas Supreme Court Clerk within ninety (90) days of the filing of the notice of appeal, (b) he failed to lodge the trial court record with the Arkansas Supreme Court Clerk within ten (10) days of the Supreme Court's April 4, 2019, order for him to do so, and (c) he

failed to perfect the appeal of his client Peoples within a reasonable time, failing to perfect the appeal at all.

WHEREFORE, in accordance with the consent to discipline presented by Mr. Craytor and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel A, that Bart Charles Craytor, Arkansas Bar ID#93046, be and hereby is, **CAUTIONED** for his conduct in this matter, and he agrees to and is ordered to pay \$50.00 case costs. The costs of assessed herein, shall be payable by cashier's check or money order payable to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct within thirty (30) days of the date this Consent Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court.

ARKANSAS SUPREME COURT COMMITTEE
ON PROFESSIONAL CONDUCT - PANEL A



T. Benton Smith, Jr, Chair, Panel A

Date: 9/20/19