



Arkansas Supreme Court Committee on Professional Conduct

2022 Annual Report

Office of Professional Conduct

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I. Introduction

Authority: Pursuant to the Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law (“Procedures”), the Committee on Professional Conduct (“Committee”) is granted the authority to investigate all complaints alleging violation of the Arkansas Model Rules of Professional Conduct and impose any sanctions permitted and deemed appropriate. During 2002, major revisions to the Procedures adopted by *Per Curiam* Order of the Arkansas Supreme Court on July 9, 2001, effective on January 1, 2002, were implemented. The Committee again submitted major proposed revisions of the Procedures to the Court on December 15, 2010, which were adopted by the Court in its *Per Curiam* issued and effective May 26, 2011, found at 2011 Ark. 242.

History: Amendment 28 to the Arkansas Constitution was adopted by the voters in 1938. The amendment placed with the Arkansas Supreme Court the authority to regulate the practice of law in Arkansas and to regulate, and thereby discipline, attorneys. In 1939, the Bar Rules Committee, an entity of the Arkansas Bar Association and the forerunner of the present Committee on Professional Conduct, was established. In 1940, the Canons for Professional Conduct of Lawyers was approved. The Arkansas version of the American Bar Association’s Model Code of Professional Responsibility was first adopted by the Arkansas Supreme Court in 1970. A revised version of the Code became effective July 1, 1976. The Arkansas version of the American Bar Association’s Model Rules of Professional Conduct was adopted by the Arkansas Supreme Court and became effective January 1, 1986. Various revisions have been made to the Arkansas version of the Model Rules since 1986. Comprehensive revisions became effective May 1, 2005, as the Arkansas Rules of Professional Conduct, now found at pages 393-511 of the 2022 Court Rules, Volume 2, of the Arkansas Code. The attorney discipline Procedures implementing these Rules are in the same Volume 2, at pages 341-391. On May 26, 2011, the Supreme Court adopted and made effective significant revisions to the Procedures, in a *Per Curiam* found at 2011 Ark. 242.

Mission: The purpose of lawyer discipline and disability proceedings is to maintain appropriate standards of professional conduct in order to protect the public and the administration of justice from lawyers who have demonstrated by their conduct that they are unable or are likely to be unable to properly discharge their professional duties. Standard 1.1 of the ABA’s 1979 Standards for Lawyer Discipline and Disability Proceedings.

II. Structure

1. COMMITTEE ON PROFESSIONAL CONDUCT

For the year 2022, the Committee continued to operate in the model of four Panels authorized by the Supreme Court as of January 1, 2002, designated Panels A, B, C, and D. Each panel is composed of seven members appointed by the Arkansas Supreme Court. Five members are lawyers, with one lawyer appointed from each Congressional District and one from the State at large. The remaining two positions are filled by persons who are not lawyers and are selected by the Court from the state at large. Panel membership in 2022 was as follows:

Panel A: Don R. Etherly, Helena, Attorney, First Congressional District
Heather G. Zachary, Little Rock, Attorney, Second Congressional District
Mark L. Martin, Fayetteville, Attorney, Third Congressional District
Michael W. Boyd, Magnolia, Attorney, Fourth Congressional District
Erin E. Cassinelli, Little Rock, Attorney at Large
Paul W. Hoggard, Piggott, Non-attorney at Large
Megan Beeson Turner, Little Rock, Non-attorney at Large

Panel B: Mark W. Rees, Jonesboro, Attorney, First Congressional District
David P. Glover, Little Rock, Attorney, Second Congressional District
Wendy R. Howerton, Attorney, Third Congressional District
Leanne P. Burch, Monticello, Attorney, Fourth Congressional District
Timothy F. Snively, Fayetteville, Attorney, Attorney at Large
Elmer Ritchie, Little Rock, Non-attorney at Large
Miles J. Kimble, Forrest City, Non-attorney at Large

Panel C: Robert Bridewell, Lake Village, Attorney, First Congressional District
JaNan Arnold Thomas, Little Rock, Attorney, Second Congressional District
Candice A. Settle, Van Buren, Attorney, Third Congressional District
Jackie B. Harris, Pine Bluff, Attorney, Fourth Congressional District
Marshall S. Ney, Rogers, Attorney, At Large
Mark F. Smith, Marianna, Non-attorney at Large
Carlton Saffa, Non-attorney at Large

Panel D: James Gregory Crumpton, Cabot, Attorney, First Congressional District
Scott S. Hilburn, Little Rock, Attorney, Second Congressional District
Timothy C. Hutchinson, Fayetteville, Attorney, Third Congressional District
Paul W. Keith, Monticello, Attorney, Fourth Congressional District
Angela S. Cole Lowther, Little Rock, Attorney at Large
Mitchell Lowe, Little Rock, Non-attorney at large
William A. Finer, Fayetteville, Non-attorney at large

The **2022 Executive Committee** consisted of:

Mark L. Martin, Fayetteville, Panel A, Committee Chair
Elmer Ritchie, Little Rock, Panel B, Committee Secretary
Erin E. Cassinelli, Little Rock, Panel A Chair
David P. Glover, Little Rock, Panel B Chair
Marshall S. Ney, Rogers, Panel C Chair

The **2023 Executive Committee** will consist of:

David P. Glover, Panel B, Committee Chair
Megan Beeson Turner, Little Rock, Panel A, Committee Secretary
Marshall S. Ney, Rogers, Panel A Chair
Mark W. Rees, Jonesboro, Panel B Chair
Robert Bridewell, Lake Village, Panel C Chair

Panel C primarily serves: (1) as the review panel for dismissals of grievances by the staff, (2) as a fourth hearing panel as needed, and (3) individual Panel C members are used as substitute panel members when a member of Panel A, B, or D is not available or has disqualified in any case on a ballot vote or a hearing.

COMMITTEE MEETING CALENDAR:

Panel A meets on the third Friday of the months of January, March, May, July, September, and November.

Panel B meets on the third Friday of the months of February, April, June, August, October, and the second Friday of December.

Panel D meets on the second Friday of the months of February, April, June, August, October, and the first Friday of December.

Panel C meets “on call” for special settings of hearings.

2. OFFICE OF PROFESSIONAL CONDUCT

The Committee employs an attorney Executive Director and staff who function as the Office of Professional Conduct, which is housed in offices at the Riverdale Plaza at 2100 Riverfront Drive, Little Rock, Arkansas 72202. The Office of Professional Conduct receives all grievances involving attorneys licensed to practice law in the State of Arkansas, investigates the grievances, provides assistance in the preparation of formal complaints, and processes formal complaints for submission to the Committee. The budget of the Committee and Office for 2022-2023 is about \$1,005,450 (allocated as: \$530,000 for personnel and \$475,450 for operations), completely funded by the Supreme Court by a portion of the annual license fee paid by Arkansas-licensed attorneys to the Arkansas Supreme Court. No state or taxpayer funds are directly provided to support the office and committee.

The Office of Professional Conduct is staffed by four staff attorneys, a paralegal, an investigator, and one grievance coordinator. The staff attorneys perform all duties and possess such authority of the Executive Director as the Executive Director may delegate, except for the final determination of sufficiency of formal complaints. In addition to Executive Director, Lisa Ballard, the Office staff attorneys during 2022 were Charlene Fleetwood - Deputy Director, Anna Catherine Cargile - Senior Staff Attorney, and Cameron Thomas Bowden - Staff Attorney.

In 2022, as in previous years, the staff presented several “continuing legal education” programs or speeches on law-related topics across the state.

The Arkansas Supreme Court has not authorized the Office of Professional Conduct to give advice or legal opinions, formal or informal, on legal or ethical issues to anyone.

The Office of Professional Conduct also provides staff support for the Supreme Court’s Unauthorized Practice of Law Committee and the Client Security Fund Committee.

III. Administration

The Office of Professional Conduct receives telephone calls, letters, e-mails and faxes from individuals across the country requesting information on how to initiate grievances against attorneys licensed to practice law in the State of Arkansas. During the 2022 calendar year, the Office opened 620 new grievance files on alleged attorney misconduct. This number was an increase from 569 new files opened in 2021. See attached Appendix A.

In 2022, 684 grievance files were closed, down from 796 files closed in 2021. For additional statistical information, see attached Appendix B.

IV. 2022 Formal Actions Initiated

In 2022, there were thirty-five (35) new formal Complaint cases opened, up from the thirty-two (32) new formal Complaint cases opened in 2021. In 2022, twenty-four (24) formal Complaint cases were closed, compared to fifty (50) closed in 2021.

V. 2022 Final Committee Actions

Final action was taken in twenty-four (24) formal Complaint cases involving Arkansas attorneys during the 2022 calendar year by the Office and the Committee on Professional Conduct. There are five primary forms of action, or sanction, that the Committee on Professional Conduct may take. The lowest sanction, a warning, is non-public. The other forms of sanction - caution, reprimand, license suspension, and disbarment - are public sanctions. In 2022, fourteen (14) attorneys received at least one public sanction, down from seventeen (17) in 2021.

VI. 2022 - Most Common Rule Violations

In 2022, the most common rule violations involved Arkansas Rules 1.3 (acting with reasonable diligence and promptness in representing a client), 1.4(a) (client communication), 8.4(d) (engaging in conduct prejudicial to the administration of justice), and 8.1(b) (failure to respond). A list containing the Arkansas Rule alleged and the number of times the Committee found the rule to have been violated in 2022 is attached as Appendix “C”.

VII. “Practice Aging” of Attorneys Disciplined (2022)

Of the 2022 final disciplinary actions by the Committee, based on number of years licensed in Arkansas, fourteen (14) attorneys were publicly sanctioned as follows. (Attorney age information is not available):

Years Licensed	No. of Attorneys Publicly Sanctioned	Percentage
01-10 (2012-2021)	2	14.29%
11-20 (2002-2011)	7	50.00%
21-30 (1992-2001)	2	14.29%
31-40 (1982-1991)	0	0.00%
41+ (before 1982)	3	21.42%
Total	14	100%

(Some attorneys were publicly sanctioned more than once in 2022.)

VIII. 2022 Fines, Restitution & Costs

Type	Amount Imposed (2022)	Amount Collected (2022)
FINES:	\$ 4,900.00	\$ 1,400.00
RESTITUTION:	\$ 20,642.00	\$ 23,328.77
COSTS:	\$ 1,225.00	\$ 1,025.00
TOTALS:	\$ 26,767.00	\$ 25,753.77

(Note: Some of the collections in 2022 were assessed in cases finalized in earlier years.)

IX. 2022 Trust Account “Overdraft” Reporting

There were twenty-five (25) notices received in 2022 from all banks and reporters, compared to twenty-nine (29) in 2021. Most of these files were closed after a summary investigation and explanation by the attorney involved. None of the 2022 files has resulted in filing a formal Complaint to date.

There are a few 2022 files still “open” to some extent, such as awaiting additional documentation from the attorney. Of those, none are believed to involve a loss of client funds.

The overwhelming majority of overdraft reports were due to some form of “attorney/firm error” such as bookkeeping math mistakes, failure to make timely deposits of settlement funds, release of settlement checks to clients and third parties before settlement funds were available in the trust account, depositing checks into the wrong account, failure to account for IOLTA interest withdrawals or bank service fees, client fee and expense checks bouncing, etc. Some admitted bank errors are reported.

X. Summaries of 2022 Public Sanctions – Appendix “D”

	Number	Designation	Description	Annual Total
2		Attorney		
3	001	A-A/C	Attorney Conduct	38
4	002	A-A/S	Advertisement / Solicitation	0
5		Criminal		
6	003	CR-D	Criminal Defense	193
7	004	CR-P	Criminal Prosecution	61
8	005	CR-A	Criminal Appeal	1
9		Domestic Relations		
10	006	DR-D	Divorce	45
11	007	DR-C	Custody	48
12	008	DR-C/S	Child Support	7
13	009	DR-QDRO	Qualified Domestic Relations Order	0
14	010	DR-V	Visitation	11
15	011	DR-DA/OP	Domestic Abuse / Order of Protection	4
16	012	DR-P	Paternity	6
17		Juvenile		
18	013	J-DHS	Department of Human Services	1
19	014	J-FINS	Families in Need of Services	0
20		Probate		
21	015	PR-E	Estate	37
22	016	PR-T	Trust	5
23	017	PR-W	Will	2
24	018	PR-POA	Power of Attorney	0
25	019	PR-G	Guardianship	8
26	020	PR-A	Adoption	3
27	021	PR-CC	Civil Commitment	0
28		Bankruptcy		
29	022	BNK-7	Chapter 7	5
30	023	BNK-11	Chapter 11	0
31	024	BNK-13	Chapter 13	4
32		Civil		
33	025	CV-A	Appeal	1
34	026	CV-C	Contract	8
35	027	CV-DC	Debt Collection	1
36	028	CV-F	Foreclosure	4
37	029	CV-J	Judgment	7
38	030	CV-LL/TN	Landlord / Tenant	5
39	031	CV-MM	Medical Malpractice	4
40	032	CV-MVA	Motor Vehicle Accident	16
41	033	CV-FED	Civil - Federal	0
42	034	CV-PI	Personal Injury	17
43	035	CV-PR	Property	20
44	036	CV-T	Tort	10
45	037	CV-UD	Unlawful Detainer	0

APPENDIX "A" - Grievance Statistics

46	038	CV-N	Negligence	0
47	039	CV-INJ	Injunction	0
48	040	CV-MISC	Miscellaneous	31
49		Miscellaneous		
50	041	SSD-SSI	Social Security Disability / Income	1
51	042	WC	Workers Compensation	1
52	043	ACC	Arkansas Claims Commission	1
53	044	IMGN	Immigration	5
54	045	SCPC	Supreme Court Per Curiam	0
55	046	ARGV	Arkansas State Government	0
56	047	IRS	Federal or State Taxes	0
57	048	EMP	Employment	8
58	049	DC-SC	District Court - Small Claims	0
59	050	INT-PR	Intellectual Property	0
60	051	BS-CP	Business / Corporation	0
61	052	USVA	Veterans Administration	1
			TOTAL GRIEVANCES:	620
No.	Disposition	Description		
19	Formal	Formal Complaint		
5	Diversion	Diversion / Probation		
4	ACL	Atty/Client Resolution Letter		
404	NPC	No Probable Cause		
13	W/D	Withdrawn by Complainant		
0	Merged-S	Merged with Surrender		
0	Merged-D	Merged with Disbarment		
0	Disbarred	Closed - Disbarred		
5	Closed-A	Closed - Administrative		
2	Closed-D	Closed - Deceased		
0	Closed-S	Closed - Surrendered		
1	FTR	Complainant Failed to Respond		
0	UPL	Unauthorized Practice of Law		
167	Open*	Investigation Pending	*There are 173 additional cases still open from previous years	
0	FWD	Transfer to Alt. Jurisdiction		
620	Total			

APPENDIX "B"

Category	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Files opened	972	892	826	804	819	859	861	888	735	794	716	744	657	725	616	697	607	559	569	620
Closed by staff	825	796	868	1137	784	786	742	845	806	646	478	732	595	663	550	549	557	675	796	684
Complaints filed	200	164	159	156	140	114	144	119	97	85	67	51	57	52	34	33	44	30	32	35
Appellate Referrals	50	40	34	39	50	33	41	18	17	40	7	14	7	14	3	2	1	3	0	0
Judicial Referrals	12	8	8	19	6	4	4	6	10	18	3	8	11	7	13	13	4	9	9	4
Attorney Referrals	N/A	24	7	16	9	15	15	7	14	38	37	28	33	14	9	16	2	13	2	22
Complaints closed	185	211	181	173	182	122	128	119	106	74	78	63	45	53	47	41	26	21	16	24
Withdrawn	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	6	2
No Actions	15	24	18	19	13	10	11	10	7	4	4	5	2	3	5	2	0	1	2	5
Warnings	54	38	33	53	41	37	46	26	20	13	8	10	17	14	10	6	2	1	12	5
Cautions	28	53	41	29	34	20	28	15	24	8	10	17	10	7	6	9	3	4	8	2
Reprimands	37	36	31	30	26	14	14	19	20	11	11	5	7	7	11	9	2	5	10	5
Suspensions	20	9	17	12	23	12	10	10	11	9	12	4	3	5	13	14	6	4	3	9
Surrenders	5	11	6	7	1	6	5	3	14	8	3	2	6	6	1	0	9	5	3	0
Merge / surrender	14	29	5	4	0	6	18	6	9	1	1	2	3	2	0	0	0	0	1	0
Deemed Surrendered (Rule 7)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3	0	0	0	1	0
Disbarment initiated	3	3	7	2	1	1	2	1	2	1	4	2	0	1	0	0	0	0	1	0
Disbarments	0	3	0	2	2	2	4	3	0	0	5	2	0	0	2	1	0	1	1	0
Reinstated	8	10	13	11	6	0	6	2	2	5	9	7	11	2	2	2	0	1	2	1
Consents	54	71	51	64		45	50	28	29	18	7	8	13	13	14	7	4	6	7	4
Refer to ArJLAP	0	0	1	3	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
No. of Attys Publicly Sanctioned*	72	101	102	68	67	49	44	44	60	29	30	27	25	21	18	23	20	18	17	14

* Some attorneys were publicly sanctioned more than once.

Alleged	No.	Alleged	No.		Found	No.	Found	No.
1.1	8	1.19(a)			1.1	5	1.19(a)	
1.1(d)		1.19(a)(3)	2		1.1(d)		1.19(a)(3)	1
1.2		1.19(b)(1)			1.2		1.19(b)(1)	
1.2(a)	1	2.1			1.2(a)	1	2.1	
1.2(b)		3.1	1		1.2(b)		3.1	1
1.2(d)		3.2	1		1.2(d)		3.2	1
1.3	15	3.3(a)	1		1.3	11	3.3(a)	
1.4(a)	2	3.3(a)(1)			1.4(a)	1	3.3(a)(1)	
1.4(a)(1)		3.3(a)(3)			1.4(a)(1)		3.3(a)(3)	
1.4(a)(2)	1	3.4(a)			1.4(a)(2)		3.4(a)	
1.4(a)(3)	15	3.4(b)			1.4(a)(3)	10	3.4(b)	
1.4(a)(4)	10	3.4(c)	4		1.4(a)(4)	6	3.4(c)	3
1.4(a)(5)		3.4(d)	2		1.4(a)(5)		3.4(d)	2
1.4(b)		3.7(a)			1.4(b)		3.7(a)	
1.5(a)		4.1(a)			1.5(a)		4.1(a)	
1.5(b)(2)	1	4.1(b)			1.5(b)(2)		4.1(b)	
1.5(c)		4.2			1.5(c)		4.2	
1.5(d)		4.3			1.5(d)		4.3	
1.6(a)	1	4.4	1		1.6(a)		4.4	
1.6(c)	1	4.4(a)			1.6(c)		4.4(a)	
1.7(a)(2)	1	5.3(b)			1.7(a)(2)	1	5.3(b)	
1.8(a)		5.4(a)			1.8(a)		5.4(a)	
1.8(b)		5.4(a)(2)			1.8(b)		5.4(a)(2)	
1.8(c)	1	5.5(a)	1		1.8(c)	1	5.5(a)	
1.8(e)		5.7			1.8(e)		5.7	
1.8(i)		7.1			1.8(i)		7.1	
1.8(j)		7.1(b)			1.8(j)		7.1(b)	
1.9(a)		7.2(e)			1.9(a)		7.2(e)	
1.9(b)		7.3(a)			1.9(b)		7.3(a)	
1.14(a)		7.5(d)	1		1.14(a)		7.5(d)	1
1.14(b)		8.1			1.14(b)		8.1	
1.15(a)(1)		8.1(a)	1		1.15(a)(1)		8.1(a)	1
1.15(a)(2)		8.1(b)	5		1.15(a)(2)		8.1(b)	5
1.15(a)(4)	1	8.2(a)	1		1.15(a)(4)	1	8.2(a)	1
1.15(a)(5)	1	8.3(a)			1.15(a)(5)	1	8.3(a)	
1.15(a)(6)	1	8.4(a)	1		1.15(a)(6)	1	8.4(a)	1
1.15(b)(1)		8.4(b)	3		1.15(b)(1)		8.4(b)	2
1.15(b)(3)		8.4(c)	9		1.15(b)(3)		8.4(c)	5
1.16(a)	2	8.4(d)	15		1.16(a)		8.4(d)	8
1.16(a)(1)		8.4(e)			1.16(a)(1)		8.4(e)	
1.16(a)(2)	1				1.16(a)(2)	1		
1.16(c)					1.16(c)			
1.16(d)	2				1.16(d)	2		
Subtotal	65	Subtotal	49		Subtotal	42	Subtotal	32
		TOTAL	114				TOTAL	74

Appendix “D” – 2022 Cases

REFERRED TO DISBARMENT

KNIGHT, KENNETH VAUGHN, of Fayetteville, ABN: 2002097, in Committee Case No. CPC-2022-010, on a complaint by his former client, Tom Muccio, for violations of AR Rules 1.1, 1.3, 1.4(a)(3), 1.15(a)(5), 1.15(a)(6), 8.1(a), 8.4(c), and 8.4(d), was referred on September 19, 2022, to disbarment proceedings to be initiated by OPC if Knight does not first surrender his law license.

MAY, QUENTIN ELLERY, of Little Rock, ABN: 2006034, in Committee Case No. CPC-2022-019, on a complaint by his former client, Hayley Ford, for violations of AR Rules 1.4(a)(3), 1.15(a)(5), 8.1(b), and 8.4(c), was referred on September 16, 2022, to disbarment proceedings to be initiated by OPC if May does not first surrender his law license.

INTERIM SUSPENSION

McKAY, MATTHEW PORTER, of Little Rock, ABN: 2007146, in Committee Case No. CPC-2022-029, on a petition before the Committee, by Order of Interim Suspension issued September 20, 2022, was placed on Interim Suspension for allegations that McKay abandoned his law practice and posed a substantial threat of serious harm to the public and to his clients.

LITTLEJOHN, DAVID M., of Little Rock, ABN: 2008039, in Committee Case No. CPC-2022-027, on a petition before the Committee, by Order of Interim Suspension issued September 19, 2022, was placed on Interim Suspension for allegations of serious misconduct involving criminal activity.

KNIGHT, KENNETH VAUGHN, of Fayetteville, ABN: 2002097, in Committee Case No. CPC-2022-010, on a complaint by his former client, Tom Muccio, by Order of Interim Suspension issued September 19, 2022, was placed on Interim Suspension, pending the initiation of disbarment proceedings, for allegations of serious misconduct involving conversion of client IOLTA funds. Knight also failed to respond to the formal complaint.

MAY, QUENTIN ELLERY, of Little Rock, ABN: 2006034, in Committee Case No. CPC-2022-019, on a complaint by his former client, Hayley Ford, by Order of Interim Suspension issued September 16, 2022, was placed on Interim Suspension, pending the initiation of disbarment proceedings, for allegations of serious misconduct involving conversion of client IOLTA funds. May also failed to respond to the formal complaint.

NOBLES, JOSHUA GARRETT, of Clarksville, ABN: 2004217, in Committee Case No. CPC-2022-023, on a petition before the Committee, by Order of Interim Suspension issued July 15, 2022, was placed on Interim Suspension for allegations that Nobles abandoned his law practice and posed a substantial threat of serious harm to the public and to his clients.

SUSPENSION

DAVIS, STEVEN RAY, of Little Rock, ABN: 76029, in Committee Case No. CPC 2021-031, on a complaint by Christopher Ruh, by Findings & Order filed May 11, 2022, was SUSPENDED for sixty (60) days, and assessed \$50 costs for violations of AR Rules 1.3, 1.4(a)(3), 1.4(a)(4), 1.16(d), 1.19(a)(3), and 8.1(b).

DAVIS, STEVEN RAY, of Little Rock, ABN: 76029, in Committee Case No. CPC 2021-035, on a complaint by Nancy Young, by Findings & Order filed May 11, 2022, was SUSPENDED for sixty (60) days, and assessed \$50 costs for violations of AR Rules 1.3, 1.4(a)(3), 1.4(a)(4), and 8.1(b).

NEWCOMB, ROBERT ALSTON, of Little Rock, ABN: 73087, in Committee Case No. CPC 2021-036, on a complaint by Douglas Causey, by Findings & Order filed June 23, 2022, was SUSPENDED for four (4) months, ordered to pay \$11,000.00 restitution to Douglas Causey, and assessed \$50 costs for violations of AR Rules 1.1, 1.3, 1.4(a)(3), and 8.1(b). Newcomb failed to preserve and perfect appeals for his client in two (2) separate cases.

WILSON, JIMMIE LEE, of West Helena, ABN: 73128, in Committee Case No. CPC-2022-013, on a complaint by Lewis Jarrett, by Findings & Order filed October 24, 2022, was SUSPENDED for five (5) years, ordered to pay \$4,000.00 restitution to Lewis Jarrett, assessed a fine of \$1,000.00, and assessed costs of \$100.00 for violations of AR Rules 1.3, 1.4(a)(3), 1.5(a), 1.5(a)(4), 1.16(d), 1.15(a)(4), and 8.4(d). Wilson failed or refused to provide the representation for which he was paid. Wilson's extensive disciplinary history was a significant aggravating factor in the sanction given in this matter.

REPRIMAND

CLIFFORD, EUGENE PATRICK, of Little Rock, ABN: 2012100, in Committee Case No. CPC-2019-013, on a complaint referred by Circuit Judge Cathleen Compton, by Consent Findings & Order issued March 24, 2022, for violations of AR Rules 3.4(c) and 8.4(d), was Reprimanded, ordered to pay restitution of \$836.00, and assessed a fine of \$200.00 and costs of \$50.00, for his conduct in this matter. Clifford represented a client in a domestic relations case before Judge Compton. Attorneys for both sides agreed to a trial date for a final hearing. Days prior to the hearing, Clifford contacted opposing counsel regarding a continuance. Opposing counsel advised there would be an objection as his client was already en route from out of state. Judge Compton denied Clifford's motion as the two sides were not able to come to an agreement. Despite the denial of the first request for continuance, Clifford filed a second motion for continuance, adding that he was getting married in Puerto Rico. On January 10, 2018, opposing counsel appeared in court with his client, and attorney John Stratford appeared with Clifford's client. Stratford told Judge Compton he was appearing only on the second Motion to Continue and was not prepared to present the case. Judge Compton continued the hearing and later ordered Clifford to pay the opposing party's requested attorneys' fees and expenses. Judge Compton referred Clifford to the Office of Professional Conduct regarding this matter.

DEVINE, MARCUS CHRISTIAN, of Little Rock, ABN: 98097, in Committee Case No. CPC-2022-003, on a complaint by Susan Miller, by Findings & Order filed May 11, 2022, was REPRIMANDED, and assessed a fine of \$1,000.00 and costs of \$50.00, for violations of AR Rules 8.4(a), 8.4(b), 8.4(c) and 8.4(d). Devine forged Miller's signature and used Miller's notary stamp knowingly and without permission.

LAMEY, Charles Clayton, III, of Conway, ABN: 2009244, in Committee Case No. CPC-2022-006, on a complaint by Robert Washington, by Findings & Order filed October 27, 2022, was REPRIMANDED, ordered to pay \$4,806.00 restitution to Robert Washington, and assessed costs of \$100.00, for violations of AR Rules 1.2(a), 1.4(a)(3), and 8.4(d). Lamey settled a civil matter without authorization from and notification to his client.

BARRETT, Tamra, of Hot Springs, ABN: 95121, in Committee Case No. CPC-2022-011, on a complaint by Circuit Judge Marcia Hearnberger, by Findings & Order filed December 22, 2022, was REPRIMANDED, and assessed a fine of \$1,000.00 and costs of \$150.00, for violations of AR Rules 1.1 and 1.3. Barrett received an additional REPRIMAND for her failure to respond to the formal complaint. Barrett failed to file a timely response to Requests for Admissions in a civil matter, and then failed to appear at a subsequent hearing scheduled in the same matter.

COYNE, James, of Conway, ABN: 2018133, in Committee Case No. CPC-2021-028, on a complaint by Judge Chris Carnahan, by Findings & Order filed December 29, 2022, was REPRIMANDED, and assessed a fine of \$1,500.00, costs of \$150.00, and court reporter costs of \$250.00, for violations of AR Rules 3.1, 1.1, 3.4(e), 8.2(a), and 8.4(c). Coyne failed to provide competent representation to his client in a civil matter.

CAUTION

MUKE, IRIS L., of Clarksville, ABN: 2003119, in Committee Case No. CPC-2021-029, on a complaint by former client, Anita Daniel, by Findings & Order issued March 24, 2022, for violation of AR Rule 1.1, was Cautioned for her conduct in this matter. Muke represented Anita Daniel and Robert Mitchell in matters relating to the estate of Anita's brother and related real property issues. Muke's errors in multiple pleadings rendered Daniel's and Mitchell's claims unsuccessful. Anita hired a new attorney and sued Muke for malpractice, and Muke entered into an Agreed Judgment to pay Daniel and Mitchell approximately \$200,000.

CLIFFORD, EUGENE PATRICK, of Little Rock, ABN: 2012100, in Committee Case No. CPC-2019-015, by Consent Findings & Order issued March 24, 2022, for violation of AR Rule 8.1(b), was Cautioned and assessed a fine of \$100.00 and costs of \$50.00, for his conduct in this matter. The Office of Professional Conduct contacted Clifford multiple times regarding the investigation of a grievance, and Clifford failed to respond to OPC's requests.