

**BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL B**

**IN RE: BELINDA BETH BURRIS
ARKANSAS BAR ID No. 2007047
CPC Docket No. 2015-034**

FINDINGS AND ORDER

Belinda Beth Burris is an attorney from Alicia, Arkansas, licensed in 2007 to practice law in the State of Arkansas, and assigned Arkansas Bar Number 2007047. The basis for the formal complaint arose from discovery of criminal conduct by Ms. Burris.

On September 27, 2007, a Criminal Information was filed in Craighead County Circuit Court, Western Division, in the case of *State of Arkansas v. Belinda Beth Burris*, Case No. CR-2007-897. The Criminal Information charged Ms. Burris (“Burris”) with one count of Possession of a Controlled Substance, Methamphetamine, With Intent to Deliver in violation of Arkansas Code Ann. §5-64-401, a Class Y Felony, and with one count of Possession of Drug Paraphernalia With Intent to Use in violation of Arkansas Code Ann. §5-64-403, a Class C Felony. The case has remained open since the filing of the Criminal Information and there has been no order dismissing the charges or imposing sentence on the charges.

On September 29, 2010, a Criminal Information was filed in Craighead County Circuit Court, Western Division, in the case of *State of Arkansas v. Belinda Beth Burris*, Western District, Criminal Division, Case No. CR-2010-962. The Criminal Information charged Burris with one count of Possession of a Controlled Substance, Methamphetamine, in violation of Arkansas Code Ann. §5-64-401, a Class C Felony; one count of Possession of Drug Paraphernalia With Intent to Use, in violation of Arkansas Code Ann. §5-64-403, a Class C Felony; and, one count of Possession of a Controlled Substance, Marijuana, in violation of

Arkansas Code Ann. §5-64-401, a Class A Misdemeanor. On May 5, 2011, Burris and her attorney, Randel Miller, appeared before the Craighead County Circuit Court and entered a plea of guilty to the charge of Possession of a Controlled Substance, Methamphetamine, a Class C felony. A Plea and Sentence Recommendation was signed by Burris, her attorney, and the prosecuting attorney wherein the prosecuting attorney would agree to nolle prosequi counts 2 and 3 of the Criminal Information and recommend supervised probation for a period of thirty-six (36) months. The Craighead County Circuit Court accepted the plea agreement and ordered Burris placed on thirty-six (36) months supervised probation, subject to certain terms and conditions. Burris was also ordered to pay court costs of \$236.00; a fine of \$350.00 plus costs of DNA test of \$250.00, drug crime cost of \$125.00; and a jail administrative fee of \$20.00. The Order of Probation was filed with the Craighead County Circuit Clerk on May 5, 2011.

On July 27, 2011, a Petition for Revocation was filed against Burris in the 2010-962 case alleging that on June 4, 2011, Burris violated conditions of her probation by using methamphetamine and failing to pay court costs. Burris was arrested on June 4, 2011, for Possession of a Controlled Substance, Methamphetamine; Possession of Drug Paraphernalia With Intent to Use; Violation of Omnibus DWI Act - II; Driving While License Suspended; and Speeding. On October 3, 2011, an Amended Petition for Revocation was filed against Burris in the 2010-962 case alleging that on September 16, 2011, Burris was arrested for speeding, driving while intoxicated, driving on a suspended driver's license; and, driving left of center. Additionally, Burris tested positive for methamphetamine, amphetamine, and THC. On January 11, 2012, the Petition for Revocation was dismissed by the prosecuting attorney.

On July 27, 2011, a Criminal Information was filed in Craighead County Circuit Court,

Western Division, in the case of *State of Arkansas v. Belinda Beth Burris*, Western District, Criminal Division, Case No. CR-2011-809. The Criminal Information charged Burris with one count of Possession of a Controlled Substance, Methamphetamine, in violation of Arkansas Code Ann. §5-64-401, a Class C Felony; one count of Possession of Drug Paraphernalia With Intent to Use, in violation of Arkansas Code Ann. §5-64-403, a Class Felony; one count of Driving While Intoxicated, Second Offense, in violation of Arkansas Code Ann. §5-65-103, an unclassified misdemeanor; one count of Driving While License Suspended in violation of Arkansas Code Ann. §27-16-303, an unclassified misdemeanor; and, one count of Speeding in violation of Arkansas Code Ann. §27-51-201, an unclassified misdemeanor. On January 9, 2012, Burris and her attorney appeared before the Craighead County Circuit Court and Burris entered a plea of guilty to the charges of Possession of a Controlled Substance, Methamphetamine and Driving While Intoxicated, Second Offense. The remaining charges were nolle prossed. The court accepted Burris' guilty plea and sentenced her to a term of twenty-four months in the Regional Punishment Facility (now known as Community Correction Center) with an additional suspended imposition of sentence for sixty months, subject to terms and conditions in the Order of Probation or Suspending Imposition of Sentence.

Burris' license to practice law was suspended by the Arkansas Continuing Legal Education Board in 2009 and was never reinstated. Her license to practice law was suspended on March 2, 2009 for failure to pay her annual license fee and she did not pay her license fee for the years 2009, 2010, 2011, 2012, 2013, and 2014.

At no point in time did any prosecuting attorney or any court report the conduct of Burris to the Office of Professional Conduct, as required by Section 15.A of the Supreme Court's

Procedures. When the criminal convictions were discovered, a formal complaint was prepared and served upon her. Burris filed a response to the formal complaint and admitted that she had been dealing with drug addiction issues for years and that she now believes that she has those issues under control.

Upon consideration of the formal complaint and attached exhibits, the response, and the Arkansas Rules of Professional Conduct, Panel B of the Arkansas Supreme Court Committee on Professional Conduct finds:

1. Belinda Beth Burris violated Rule 8.4(b) when on June 25, 2007, she was in possession of less than 28 grams of methamphetamine, a schedule II controlled substance, which was a violation of Arkansas Code Ann. §5-64-401; when on June 25, 2007, she was in possession of drug paraphernalia with the intent to use, which was a violation of Arkansas Code Ann. §5-64-403; when on August 13, 2010, she was in possession of less than 28 grams of methamphetamine, a schedule II controlled substance, which was a violation of Arkansas Code Ann. §5-64-401; when on August 13, 2010, she was in possession of drug paraphernalia with intent to use, which was a violation of Arkansas Code §5-64-403; when on August 13, 2010, she was in possession of marijuana, a schedule VI controlled substance, which was a violation of Arkansas Code §5-64-401; when on June 4, 2011, she was in possession of less than 28 grams of methamphetamine, a schedule II controlled substance, which was a violation of Arkansas Code Ann. §5-64-401; when on June 4, 2011, she was in possession of drug paraphernalia with intent to use, which was a violation of Arkansas Code §5-64-403; when on June 4, 2011, she operated a motor vehicle while intoxicated, which was a violation of Arkansas Code Ann. §5-65-103; when on June 4, 2011, she operated a motor vehicle while her driver's license was suspended, which

was a violation of Arkansas Code Ann. §27-16-303; when on June 4, 2011, she operated a vehicle at 73 miles per hour on a roadway where the maximum speed was posted as 55 miles per hour, which was a violation of Arkansas Code Ann. §27-51-201; when on May 5, 2011, she entered a plea of guilty in the case of *State of Arkansas v. Belinda Beth Burris*, Craighead County Circuit Court, Western District, Case No. CR-2010-962, to one count of possession of a controlled substance, methamphetamine, a class C felony, and was placed on supervised probation for a period of thirty-six (36) months; and, when on January 12, 2012, she entered a plea of guilty in the case of *State of Arkansas v. Belinda Beth Burris*, Craighead County Circuit Court Case No. CR-2011-809, to one count of possession of a controlled substance, methamphetamine, and one count of driving while intoxicated (2nd offense), and was sentenced to twenty-four (24) months in a regional punishment facility followed by a sixty (60) months suspended imposition of sentence. Rule 8.4(b) of the Arkansas Rules of Professional Conduct states that it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel B, that the law license of BELINDA BETH BURRIS, Arkansas Bar No. 2007047, be, and hereby is, SUSPENDED for a period of THIRTY-SIX (36) MONTHS.

It is so ordered.

ARKANSAS SUPREME COURT COMMITTEE
ON PROFESSIONAL CONDUCT - PANEL B

By: /s/ Niki T. Cung, Chairperson

Date: June 23, 2015

Original filed with the Arkansas Supreme Court
Clerk on August 3, 2015.