

Case Number: SBN21-99093



FILED

SEP 21 2022

STATE BAR OF NEVADA
BY [Signature]
OFFICE OF BAR COUNSEL

STATE BAR OF NEVADA

NORTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,

Complainant,

vs.

TORY ALLEN, ESQ.

STATE BAR NO. 12680

Respondent.

PUBLIC REPRIMAND

TO: Tory Allen, Esq.
4255 Wedekind Road #528
Sparks, Nevada 89431

You were retained by a client and her husband (hereinafter "the Clients") on or about October 16, 2018, to draft estate planning documents. More than a year later, the Clients were ready to proceed with the estate planning process. You started drafting the estate planning documents on or about February 26, 2020, which was prior to the start of the suspension of your license to practice law.

On April 23, 2020, the Nevada Supreme Court suspended you from the practice of law for thirty months. Pursuant to SCR 115, you had until May 7, 2020 to complete any then pending representations and inform all clients of your suspension and inability to continue representing them.

1 In July 2020, you responded to the Client's inquiries regarding finalizing their estate
2 planning documents. On or about July 8, 2020, you provided draft documents to the
3 Clients. The Clients emailed you questions in August 2020 and, you provided the Clients
4 with legal advice in response.

5 The Clients did not communicate with you again until March 2021. At that point, the
6 Clients emailed you to finalize the estate planning documents. On April 1, 2021, your
7 assistant replied that they needed to set up a time to sign the documents.

8 After some delays in getting the signing appointment scheduled, on September 17,
9 2021, the Clients terminated the representation and went to another attorney to have the
10 estate planning documents drafted.

11 Violations of the Rules of Professional Conduct

12 Pursuant to RPC 3.4 (Fairness to Opposing Party and Counsel), as of May
13 7, 2020, you had a duty to obey the Nevada Supreme Court's order to refrain from engaging
14 in the practice of law until reinstated by their subsequent order. RPC 5.5 (Unauthorized
15 Practice of Law), also prohibited you from engaging in the practice of law while suspended
16 by the Nevada Supreme Court.

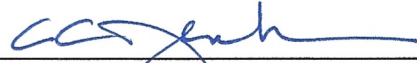
17 You knowingly violated RPC 3.4 and RPC 5.5 which could have injured the Clients
18 and did injure the integrity of the profession.

19 Application of ABA Standards for Imposing Lawyer Sanctions and Mitigating Factors

20 Pursuant to Standard 7.2 of the ABA Standards for Imposing Lawyer Sanctions, the
21 appropriate baseline sanction for Respondent's misconduct is suspension. However, in
22 mitigation, you cooperated with the disciplinary authority by accepting responsibility for
23 your conduct and you did not have a dishonest or selfish motive when you engaged in the
24 misconduct. Therefore, it is appropriate to deviate downward from imposition of further
25 suspension to issuance of a Public Reprimand.

1 In light of the foregoing, you violated Rule of Professional Conduct ("RPC") 3.4
2 (Fairness to Opposing Party and Counsel) and RPC 5.5 (Unauthorized Practice of Law)
3 and are hereby PUBLICLY REPRIMANDED. Further, you are required to pay \$1,500, plus
4 the hard costs of the disciplinary proceeding no later than 30 days after the filing of the
5 Order in this matter.

6 DATED this 19th day of September, 2022.

7
8 By: 
9 CAREN C. JENKINS, ESQ.
10 Formal Hearing Panel Chair
11 Northern Nevada Disciplinary Board
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

DATED this 21st day of September 2022.

Laura Peters, an employee of the
State Bar of Nevada