

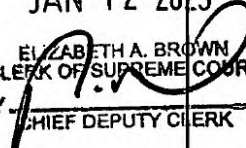
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
MITCHELL C. WRIGHT, BAR NO. 5835

No. 85495

FILED

JAN 12 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  CHIEF DEPUTY CLERK

ORDER APPROVING CONDITIONAL GUILTY PLEA AGREEMENT

This is an automatic review of a Northern Nevada Disciplinary Board hearing panel's recommendation that this court approve, pursuant to SCR 113, a conditional guilty plea agreement in exchange for a stated form of discipline for attorney Mitchell C. Wright. Under the agreement, Wright admitted to violating RPC 3.4 (fairness to opposing party and counsel), RPC 5.5 (unauthorized practice of law), and RPC 8.4 (misconduct) and agreed to a six-month suspension.

Wright has admitted to the facts and violations as part of his guilty plea agreement. The record therefore establishes that he violated the above-cited rules by filing four pleadings in tribal court, appearing on behalf of a client at a status hearing, and drafting a divorce complaint on behalf of another client after being administratively suspended.

The issue for this court is whether the agreed-upon discipline sufficiently protects the public, the courts, and the legal profession. *See In re Discipline of Arabia*, 137 Nev., Adv. Op. 59, 495 P.3d 1103, 1009 (2021) (stating the purpose of attorney discipline). In determining the appropriate discipline, we weigh four factors: "the duty violated, the lawyer's mental state, the potential or actual injury caused by the lawyer's misconduct, and the existence of aggravating or mitigating factors." *In re Discipline of Lerner*, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (2008).

Wright knowingly violated a duty owed as a professional (unauthorized practice of the law). His clients, the public, and the legal system were potentially injured. The baseline sanction for his misconduct,

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before considering aggravating and mitigating circumstances, is suspension. See Standards for Imposing Lawyer Sanctions, *Compendium of Professional Responsibility Rules and Standards*, Standard 7.2 (Am. Bar Ass'n 2017) ("Suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system."). The record supports the panel's findings of one aggravating circumstance (substantial experience in the practice of law) and one mitigating circumstance (cooperative attitude toward disciplinary proceeding). Additionally, the record supports the mitigating circumstance of personal or emotional problems, which was included in the conditional guilty plea agreement but was left out of the panel's recommendation without explanation. Having considered the four factors, we conclude that the agreed-upon discipline is appropriate.

Accordingly, we hereby suspend Mitchell C. Wright from the practice of law in Nevada for six months commencing from the date of this order. Wright shall also pay the costs of the disciplinary proceedings, including \$2,500 under SCR 120, within 30 days of the date of this order. The parties shall comply with SCR 115 and SCR 121.1.

It is so ORDERED.¹

Stiglich, C.J.
Stiglich

Gibbons, Sr.J.
Gibbons

Silver, Sr.J.
Silver

¹The Honorable Mark Gibbons and the Honorable Abbi Silver, Senior Justices, participated in the decision of this matter under general orders of assignment.

cc: Chair, Northern Nevada Disciplinary Board
Mitchell C. Wright
Bar Counsel, State Bar of Nevada
Executive Director, State Bar of Nevada
Admissions Office, U.S. Supreme Court