

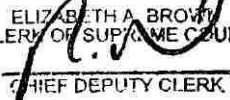
IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 86427

FILED

JUN 13 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 Wright. Under the agreement, Wright admitted to violating RPC 1.3 (diligence), RPC 1.4 (communication), RPC 1.16 (declining or terminating representation), and SCR 115 (notice of change of license status; winding down of practice) and agreed to a six-month-and-one-day suspension to run concurrent with the suspension imposed in *In Re Discipline of Wright*, No. 85495, 2023 WL 1446812 (Nev. Jan. 12, 2023) (Order Approving Conditional Guilty Plea Agreement).

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 failing to advance a client's matter while Wright was in good standing and thereafter failing to inform the client that he was administratively suspended and that a counterclaim was filed against the client, resulting in a default and sanctions being entered against the client.

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. 568, 571, 495 P.3d 1103, 1109 (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 duties owed to his client (diligence and communication). His client, the profession, and the legal system were injured or potentially injured. The baseline sanction for his misconduct, before considering aggravating and mitigating circumstances, is suspension. *See Standards for Imposing Lawyer Sanctions, Compendium of Professional Responsibility Rules and Standards*, Standard 4.42 (Am. Bar Ass’n 2017) (providing that suspension is appropriate when “a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client”); Standard 7.2 (“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 two mitigating circumstances (personal or emotional problems and cooperative attitude toward disciplinary proceeding). Additionally, the record supports the two aggravating circumstances (pattern of misconduct and substantial experience in the practice of law), which were included in the conditional guilty plea agreement and orally found at the hearing. Having considered the four factors, we conclude that the agreed-upon discipline is appropriate.

Accordingly, we hereby suspend Mitchell Wright from the practice of law in Nevada for six months and one day from January 12, 2023,

the effective date of the suspension in *In Re Discipline of Wright*, No. 85495, 2023 WL 1446812 (Nev. Jan. 12, 2023) (Order Approving Conditional Guilty Plea Agreement), with the suspensions running concurrently. As a result, Wright must apply for reinstatement before resuming the practice of law in Nevada. See SCR 116(1). Wright shall also pay the costs of the disciplinary proceedings, including \$2,500 under SCR 120, within 30 days from the date of this order. The State Bar shall comply with SCR 121.1.

It is so ORDERED.

Stiglich, C.J.
Stiglich

Cadish, J.
Cadish

Pickering, J.
Pickering

Herndon, J.
Herndon

Lee, J.
Lee

Parraguirre, J.
Parraguirre

Bell, J.
Bell

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