Case No.: SBN22-00507



STATE BAR OF NEVADA

OFFICE OF BAR COUNSEL

STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,)	
Complainant,)	
vs.)	REPRIMAND
JASON LUIS LOPEZ,)	<u>KEI KIMAND</u>
Bar No. 7796)	
Respondent.)	

TO: Jason L. Lopez
7740 Aardvark Walks Street
Las Vegas, NV 89113
Lopez4127@yahoo.com

A Southern Nevada Disciplinary Board Formal Hearing Panel convened on July 18, 2024 to consider your conditional admission that you violated Rule of Professional Conduct ("RPC") 8.4(b) (Misconduct) as alleged in the State Bar's complaint filed February 23, 2024. The panel also received documentary evidence regarding your conduct. The Panel concluded unanimously that you violated RPC 8.4(b) as a criminal act that reflected adversely on your fitness as a lawyer. The Panel concluded that you should receive a Reprimand for your conduct in driving under the influence of alcohol on a public highway. This letter constitutes delivery of the Panel's reprimand.

On September 7, 2022, you filed a petition for reinstatement to practice law with the State Bar of Nevada ("State Bar"). Your reply to the State Bar's investigative inquiry disclosed

for the first time that you were arrested for Driving Under the Influence ("DUI") on February 28, 2021. A subsequent investigation into your reinstatement petition revealed the following:

On August 26, 2021, a criminal complaint was filed in Las Vegas Township Justice Court ("LVJC"), charging you with Driving Under the Influence, a misdemeanor violation of NRS 484C.110, 484C.400 and 484C.105. On December 13, 2021, you pled nolo contendere to the DUI charge above. On March 14, 2022, the LVJC entered final judgment, and determined that you completed the sentence requirements.

The reinstatement investigation also revealed that you were also arrested on suspicion of DUI on October 23, 2006 in Clark County. LVJC records revealed that you were charged with DUI, a misdemeanor violation of NRS 484.379. LVJC records revealed you pled no contendere to this earlier DUI charge on May 9, 2007, with adjudication being stayed pending your compliance with sentencing conditions. On November 5, 2007, LVJC amended your DUI charge to a misdemeanor charge of Reckless Driving and closed the case.

Supreme Court Rule ("SCR") 111(2) (Duty to inform bar counsel) states: "Upon being convicted of a crime by a court of competent jurisdiction, other than a misdemeanor traffic violation not involving the use of alcohol or a controlled substance, an attorney subject to these rules shall inform bar counsel within 30 days." Further, SCR 111(1) ("Conviction" defined) states: "...a conviction shall include a plea of guilty or nolo contendere...regardless of whether a sentence is suspended or deferred or whether a final judgment of conviction has been entered, and regardless of any pending appeals."

Here, you did not timely inform Bar Counsel of your 2021 alcohol-related traffic conviction by January 12, 2022 as required by SCR 111(1) & SCR 111(2). Further, you did not timely inform bar counsel of your 2007 alcohol-related traffic conviction at all, much less by June 9 2007.

The State Bar of Nevada filed a mandatory petition with the Nevada Supreme Court informing them of your alcohol-related traffic convictions, as required under SCR 111(4), along with a Screening Panel's recommendation for discipline consideration. The Nevada Supreme Court issued an order referring the matter back to the Southern Nevada Disciplinary Board for discipline consideration. Accordingly, the State Bar filed a complaint alleging rule violations of RPC 8.4(b) (Misconduct) and RPC 8.4(d) (Misconduct).

RPC 8.4(b) (Misconduct) states in relevant part: "It is professional misconduct for a lawyer to: (b) Commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;"

Here, you committed a criminal act, namely DUI, a violation of Nevada Revised Statutes ("NRS") 484C.110 and 484C.400 and NRS 484C.105. The Panel found that this criminal act reflected adversely on your fitness as a lawyer.

Based upon your duty breached to the public, your mental state of negligence that resulted in actual or potential injury to the legal system or profession, the baseline sanction is a Reprimand. "Reprimand is generally appropriate when a lawyer negligently 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." Section 7.3 (Violation of Duties Owed as Professional). *ABA Standards for Imposing Lawyer Sanctions* §5.12 (2nd Ed. 2019).

The panel weighed aggravating and mitigating circumstances individualized to your matter. The aggravating factors included prior disciplinary offenses, and substantial experience in the practice of law of 17 years. The mitigating factors included personal or emotional problems and a cooperative attitude toward the proceedings. A qualitative weighing of those four factors did not warrant an upward or downward deviation from the reprimand baseline sanction.

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Please allow this Reprimand to serve as a thoughtful reminder of your professional ethical obligations. We wish you well and trust that no similar problems will arise in the future.

Dated this 14th day of August, 2024.

Southern Nevada Disciplinary Board

Franklin J. Katschke (Aug 14, 2024 13:16 PDT)

By:

Franklin J. Katschke, Esq. Formal Hearing Panel Chair

CERTIFICATE OF SERVICE

The undersigned hereby certifies a true and correct copy of the foregoing **REPRIMAND** was served via electronic mail to:

- 1. Jason L. Lopez (Respondent): lopez4127@yahoo.com
- 2. Bruce Hahn, Esq. (Assistant Bar Counsel): bruceh@nvbar.org

DATED this 14th day of August 2024.

By: Tiffany Bradley, an employee of the State Bar of Nevada.