

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
MARK ROBERT STARR, BAR NO.
14765.

No. 89143

FILED

DEC 11 2024

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

ORDER APPROVING CONDITIONAL GUILTY PLEA AGREEMENT

This is an automatic review of a Southern 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 Mark Robert Starr. Under the agreement, Starr admitted to two violations of RPC 8.4(c) (misconduct). Starr has agreed to a 6-month actual suspension, followed by a 24-month probationary period.

Starr has admitted to the facts and violations as part of the guilty plea agreement. The record therefore establishes that while employed by his previous law firm, Starr failed to keep the firm and a corporate client apprised of Starr's progress in obtaining state licensing for the client to become a sports betting vendor or marketing affiliate. Starr further lied about gaming license applications and approvals in different states and provided the firm and the client with fictitious gaming license documents purportedly granting approval from governmental authorities in various jurisdictions.

Because Starr has admitted to the facts and violations as set forth above, the issue for this court is whether the agreed-upon discipline

sufficiently protects “the public, the courts, and the legal profession.” *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).

Starr admitted to knowingly violating RPC 8.4(c) (misconduct involving dishonesty, fraud, deceit, or misrepresentation) twice. He admitted that the misconduct resulted in injury or potential injury to the client and Starr’s former law firm. The baseline sanction for Starr’s misconduct, before considering the aggravating or mitigating circumstances, is suspension. See Standards for Imposing Lawyer Sanctions, *Compendium of Professional Responsibility Rules and Standards*, Standard 4.62 (Am. Bar Ass’n 2023) (providing that suspension is appropriate “when a lawyer knowingly deceives a client, and causes injury or potential injury to the client”); Standard 7.2 (providing that suspension is 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”).

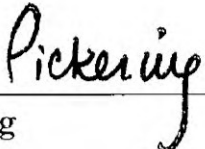
The record supports two aggravating circumstances (dishonest or selfish motive and pattern of misconduct) and nine mitigating circumstances (absence of a prior disciplinary record, personal or emotional problems, timely good faith effort to rectify misconduct consequences, full and free disclosure to disciplinary authority, inexperience in the practice of law, character or reputation, mental disability, interim rehabilitation, and remorse). SCR 102.5(3)-(4) (listing aggravating and mitigating

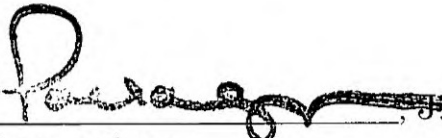
circumstances). Considering all four factors, we conclude that the agreed-upon discipline is appropriate.

Accordingly, we suspend attorney Mark Robert Starr from the practice of law for 6 months commencing from the date of this order, followed by a 24-month probationary period subject to the conditions outlined in the conditional guilty plea agreement. Those conditions include that Starr continue to seek and fully participate in psychiatric and mental health treatment; that Starr obtain an attorney mentor approved by the State Bar; that Starr meet monthly with the attorney mentor regarding general legal practice management, fiduciary responsibilities to clients, trust account management, and work-life balance; that the approved attorney mentor timely provide quarterly reports to the State Bar; and that Starr engage in no additional professional misconduct following the date of this order that results in a screening panel recommending new disciplinary charges be filed. Starr 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 parties shall comply with SCR 115 and SCR 121.1.

It is so ORDERED.


_____, J.
Stiglich


_____, J.
Pickering


_____, J.
Parraguirre

cc: Rob W. Bare
Chair, Southern Nevada Disciplinary Board
Bar Counsel, State Bar of Nevada
Executive Director, State Bar of Nevada
Admissions Office, U.S. Supreme Court