


IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
DAVID A. RIGGI, BAR NO. 4727

No. 89426

FILED

JAN 16 2025

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

ORDER APPROVING CONDITIONAL ADMISSION 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 admission agreement in exchange for a stated form of discipline for attorney David A. Riggi. Under the agreement, Riggi admitted to violating RPC 1.3 (diligence) and RPC 1.4(a), (b) (communication). Riggi agreed to a six-month suspension, stayed, subject to certain conditions to be completed during a two-year probationary period.

Riggi admitted to the facts and violations as part of the admission agreement. Riggi failed to file necessary forms with the court in connection with a client's bankruptcy proceedings, failed to respond to the client's inquiries, and did not inform the client of a requirement to achieve bankruptcy discharge. As a result, the bankruptcy was closed without an order of discharge. Riggi eventually paid to reopen the case, filed the necessary forms, and the client received the order of discharge.

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).

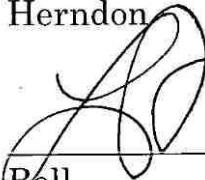
Riggi admitted to knowingly violating duties owed to his client (diligence and communication). Riggi further admitted his conduct caused actual or potential injury to the client because the client’s bankruptcy proceeding was not timely resolved. The baseline sanction for such violations, before considering the aggravating or mitigating circumstances, is suspension. *See Standards for Imposing Lawyer Sanctions, Compendium of Professional Responsibility Rules and Standards*, Standard 4.42(a) (Am. Bar Ass’n 2023) (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”). The record supports three aggravating circumstances (prior disciplinary offenses, pattern of misconduct, and substantial experience in the practice of law) and two mitigating circumstances (full and fair disclosure to disciplinary authorities or cooperative attitude toward the proceedings and physical disability). Considering all four factors, we conclude that the agreed-upon discipline is appropriate.

Accordingly, we hereby suspend attorney David A. Riggi from the practice of law in Nevada for six months, with the suspension stayed for two years from the date of this order subject to the conditions outlined in the conditional admission agreement. Those conditions include requirements that Riggi obtain a law practice mentor pre-approved by the State Bar; consult with and retain a professional, practice-oriented bookkeeping agency or CPA at his own expense; adopt a legal practice succession plan; engage in the fee dispute process should the named clients

seek fee dispute relief; successfully complete twelve (12) continuing legal education units in the field of law office management; and engage in no professional misconduct following the date of this order that results in a screening panel recommending that new disciplinary charges be filed. Riggi 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.


_____, C.J.
Herndon


_____, J.
Bell


_____, J.
Stiglich

cc: David A. Riggi
Chair, Southern Nevada Disciplinary Board
Bar Counsel, State Bar of Nevada
Executive Director, State Bar of Nevada
Admissions Office, U.S. Supreme Court