IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF DANIELLE M. MATHEY, BAR NO. 12037.



ORDER IMPOSING RECIPROCAL DISCIPLINE

This is a petition under SCR 114 for reciprocal discipline of attorney Danielle M. Mathey because of her disbarment in Wyoming. Mathey failed to self-report the Wyoming discipline as required by SCR 114(1) and has not responded to the petition. See SCR 114(3).

Mathey was disbarred in Wyoming on February 24, 2021. In the Wyoming proceeding, Mathey admitted to multiple instances of misconduct. In one matter, Mathey materially misrepresented the status of a case by telling the client the case was filed and progressing. Mathey, however, had delayed filing the lawsuit for more than four years and blamed judges, court staff, and the court system for the apparent delays. In another matter, Mathey attempted to cover up mismanagement of a client's trust account by lying to that client about having sent a settlement check. Mathey also failed to diligently file two lawsuits for that same client. In trying to cover up one of those failures, Mathey fabricated a default judgment with a falsified judge signature and file stamp. Mathey then sent a settlement check to that client based on the fabricated default judgment to reconcile funds missing from a previous settlement check. In communications with the Wyoming State Bar, Mathey provided falsified

SUPREME COURT OF NEVADA

(0) 1947A 🛛 📿 💬

1.1

25-25165

court documents, dishonest responses to the bar's inquiries, and dishonest status updates.

The Wyoming Board of Professional Responsibility hearing panel found that Mathey violated Wyoming rules of professional conduct equivalent to Nevada's RPC 1.3 (diligence), RPC 1.4 (communication), RPC 3.2 (expediting litigation), RPC 8.1 (misconduct), RPC 8.4(b) (misconductcriminal act), RPC 8.4(c) (misconduct—misrepresentation), and RPC 8.4(d) (misconduct—prejudicial to the administration of justice). The Wyoming panel found six aggravating factors (dishonest motive, a pattern of misconduct, bad faith obstruction of the disciplinary proceeding, submission of false evidence, false statements and other deceptive practices during the disciplinary process, refusal to acknowledge wrongful nature of conduct, and substantial experience in the practice of law) and one mitigating factor (absence of a prior disciplinary record). The Wyoming panel further found that Mathey acted intentionally and caused injury to her clients and the legal system. Mathey stipulated to disbarment in Wyoming. See W.R. Disc. P. 12(a)-(b) (stating that a respondent may stipulate to discipline by submitting an affidavit admitting to their misconduct, acknowledging their pending proceedings, and stating that their admission is free and voluntary).

SCR 114(4) provides that this court shall impose identical reciprocal discipline unless the attorney demonstrates or this court finds that at least one of four exceptions is present: (1) the procedure in the other jurisdiction denied the attorney due process; (2) there is such an infirmity of proof of the misconduct in the other jurisdiction that this court cannot accept the other court's decision; (3) substantially different discipline is

SUPREME COURT OF NEVADA warranted in this state; or (4) the established misconduct does not constitute misconduct under the rules of this state.

None of the exceptions apply. With respect to the third exception in particular, we acknowledge that an attorney who is disbarred in Wyoming may seek reinstatement, W.R. Disc. P. 22(b)(1), whereas disbarment in Nevada is permanent, SCR 102(1)(a). We are not convinced that this distinction warrants substantially different discipline in this matter given the multiple instances of dishonesty in Mathey's communications with and representations to clients and the Wyoming State Bar. We therefore grant the petition for reciprocal discipline and disbar attorney Danielle M. Mathey from the practice of law in Nevada. Such disbarment is irrevocable. SCR 102(1)(a). Mathey shall comply with SCR 115. The State Bar shall comply with SCR 121.1.

It is so ORDERED.



SUPREME COURT OF NEVADA

cc: Danielle M. Mathey Executive Director, State Bar of Nevada Chair, Southern Nevada Disciplinary Board Admissions Office, U.S. Supreme Court Bar Counsel, State Bar of Nevada

(U) 1947A

EL CT

م تناسبه المنظمية ال