



April 3, 2024

LETTER OF REPRIMAND

Susana Santana, Esq.
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RE: Grievance File No.: SBN23-00007 (SCR 111 & RPC 8.4(b))

Ms. Santana:

A Formal Hearing Panel of the Southern Nevada Disciplinary Board convened on April 3, 2024, to consider the above-referenced grievance against you. The Panel concluded that you violated Nevada Rule of Professional Conduct ("NRPC") 8.4(b) (Misconduct) and reprimanded you for your role in mishandling of a package belonging to your adjoining neighbor, under your general professional duty owed to the public. This letter constitutes delivery of the Hearing Panel's reprimand.

In August 2021, FedEx misdelivered a package with \$291.48 worth of supplements to your residence occupied by you and your husband, despite the package being properly labeled for your adjoining neighbor's residence. After your efforts to return the package to your neighbors were rejected, you ultimately shipped the package back to the sender. In the meantime, your neighbors filed a report with the local police. Your neighbors were reimbursed for the package cost. However, your role in the mishandling of their package resulted in your neighbor's filing a report with local law enforcement and with the State Bar of Nevada ("State Bar"). On September 29, 2022, the Henderson Municipal Court considered evidence against you at a bench trial and found you guilty of misdemeanor Theft (value less than \$1,200), a violation of Nevada Revised Statutes ("NRS") 205.0832, NRS 202.0833, NRS 205.0835.2A, and Henderson City Code ("HCC") section 2.140. You timely satisfied all fines, fees and conditions associated with your conviction.

On October 21, 2022, you timely self-reported your conviction to the State Bar as required by Supreme Court Rule ("SCR") 111. Thereafter, your neighbors also made a report to the Nevada State Bar. Prior to and following your self-report, your post-conviction challenges were declined by the Henderson Municipal Court and the Eighth Judicial District Court. On August 3, 2023, the State

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Bar filed a criminal conviction notice petition with the Nevada Supreme Court; SCR 111(6) defined your misdemeanor criminal act as a “serious crime.” On October 13, 2022, the Nevada Supreme Court stayed an otherwise rule-mandatory temporary suspension of your license to practice law. Nonetheless, our court directed the matter be directed to the Southern Nevada Disciplinary Board for further proceedings.

On November 22, 2023, based upon your misdemeanor theft conviction, the State Bar filed a single charge of NRPC 8.4(b) citing: “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, your conduct caused injury or potential injury and violated a professional duty owed to the public despite the lack of any attorney-client relationship with the Washingtons.

The baseline sanction for your conduct here is practice suspension. ABA Standards for Imposing Lawyer Sanctions (2nd Ed. 2019), Section 5.12 (Duties Owed to the Public) states: “Suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements listed in Standard 5.11 and that seriously adversely reflects on the lawyer’s fitness to practice.”

A downward deviation from the suspension baseline is warranted. You had no discipline history since being barred in Nevada in 2015 nor any subsequent grievances. You made a timely good faith effort to make restitution, provided timely and full disclosure to the State Bar and demonstrated remorse for your involvement. You also voluntarily sold her home and moved out of the neighborhood to avoid any further issues.

Based on the foregoing, you are hereby REPRIMANDED for a violation of NRPC 8.4(b). Please promptly conclude this matter by remitting the sanction cost of \$1,500 within 30 days of the issuance of this letter and thereafter timely remit the costs of the Formal Hearing proceeding upon proof of costs by the State Bar. SCR 120.

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

Sincerely,

By: /s/ Jay A. Shafer, Esq.
Jay A. Shafer, Esq.
NV Bar No. 9184
Formal Hearing Panel Chair
Southern Nevada Disciplinary Board