

Disciplinary Case Summaries

No. 18PDJ081. People v. Dixon. 4/18/2019. The Presiding Disciplinary Judge entered summary judgment in this reciprocal discipline matter and publicly censured Eric D. Dixon (attorney registration number 23799), effective April 18, 2019. The Presiding Disciplinary Judge also suspended Dixon for nine months, effective April 18, 2019. To be reinstated, Dixon will bear the burden of proving by clear and convincing evidence that he has been rehabilitated, has complied with disciplinary orders and rules, and is fit to practice law.

On August 24, 2015, the Supreme Court of New Mexico publicly censured Dixon for engaging in conduct prejudicial to the administration of justice. Dixon was found to have engaged in such conduct by honking his horn at a judge who was crossing the street and then accelerating his vehicle on the lane that the judge was slowly crossing on foot. Believing he was in danger of

being hit by Dixon's approaching vehicle, the judge jumped between two parked vehicles.

On November 9, 2018, the Supreme Court of New Mexico suspended Dixon for nine months, with the requirement of reinstatement, for making a false statement of fact to a tribunal, knowingly making a false statement of fact in connection with a disciplinary proceeding, and engaging in conduct involving dishonesty, deceit, and misrepresentation. The Supreme Court of New Mexico determined that Dixon had filed a frivolous complaint in federal court that incorrectly named his client; intentionally misled the court and opposing counsel regarding whether his client was a man or a woman; knowingly made false statements to the court and to opposing counsel; failed to provide competent representation to his client; improperly filed a state action on behalf of his client after a similar federal complaint had been

dismissed; and knowingly made false statements to disciplinary counsel.

Through this conduct, Dixon engaged in conduct constituting grounds for discipline under CRCP 251.21. The case file is public per CRCP 251.31.

No. 19PDJ030. People v. Hart III. 5/3/2019.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and publicly censured William Thomas O'Connell Hart III (attorney registration number 41289), effective June 7, 2019.

In March 2017, Hart was arrested for criminal mischief. While intoxicated, Hart aggressively confronted a group of four children playing at a nearby residence. One of the children was photographing a vehicle parked in front of a no parking sign. Hart demanded that the child stop taking pictures, ripped the sign off the fence, and threw the sign at two children, missing them. He then yelled profanities at the children and the mother of two of the children, and he aggressively stepped toward the mother, causing her to be afraid. Hart was intoxicated during this event. He later pleaded guilty to municipal criminal mischief as part of an unsupervised deferred judgment. Hart failed to report this conviction to the Office of Attorney Regulation Counsel.

On Halloween that same year, Hart approached a residence while carrying a bag of



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candy. A child answered the door. The child's grandmother witnessed Hart place his hand on the child's cheek. Hart told police that he had been walking his dog, and he denied going to any houses, knocking on any doors, or interacting with anyone in the houses. He now admits, however, that he went to the child's home, gave him a fist bump, and patted him on the cheek. Hart was intoxicated during this incident. A municipal jury found Hart guilty of harassment with physical contact. His deferred judgment in the criminal mischief matter was revoked, and he served probation in both matters. He again failed to report this conviction to the Office of Attorney Regulation Counsel. Hart states that he has not consumed alcohol since April 2018, and he has successfully completed his supervised probation, which included about nine months of urinalysis tests.

Through his conduct, Hart violated Colo. RPC 3.4(c) (a lawyer shall not knowingly disobey an obligation under the rules of a tribunal) and Colo. RPC 8.4(b) (a lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects).

The case file is public per CRCP 251.31.

No. 18PDJ076. People v. Leerssen. 5/28/2019. The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and disbarred James L. Leerssen (attorney registration number 12847) from the practice of law, effective July 2, 2019.

Leerssen, a bankruptcy lawyer, maintained a trust account. Yet neither the deposit slips nor checks associated with this account were designated as connected to a trust account. In April 2018, Leerssen issued a check from his

trust account to Jeremy Leerssen, who is not his client. During summer 2018, Leerssen deposited many checks made out to him personally into his trust account. Leerssen closed his physical office in May 2018. Around that time, Leerssen's wife (and paralegal) took actions to disconnect his Internet and telephone service and to dispose of his office computer and equipment.

In one client matter, Leerssen accepted \$450 toward the client's retainer but did not deposit the money into his trust account. He did not file a petition for bankruptcy on the client's behalf because the client did not pay Leerssen his full fee. The client could not reach Leerssen in person or by telephone, email, or regular mail. The client has had no contact with Leerssen since before May 2018. Leerssen has not refunded the client's fees.

In another client matter, Leerssen entered into a flat fee agreement with the client, who gave him \$1,100 in cash as an initial payment. Leerssen failed to deposit at least \$600 of that payment into his trust account. The client could not reach Leerssen in person or by telephone, email, or regular mail. The client has had no contact with Leerssen since before May 2018. Leerssen has not refunded the client's fees.

Through this conduct, Leerssen violated Colo. RPC 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of the matter); Colo. RPC 1.4(a)(4) (a lawyer shall promptly comply with reasonable requests for information); Colo. RPC 1.5(f) (a lawyer does not earn fees until a benefit is conferred on the client or the lawyer performs a legal service); Colo. RPC 1.15A(a) (a lawyer shall hold client property separate from the lawyer's own property); Colo. RPC 1.15A(c) (a lawyer shall keep separate any property in which two or more persons claim an interest until there is a resolution of the claims); Colo. RPC 1.15B(c) (a lawyer shall prominently designate each trust account, as well as all deposit slips and checks drawn thereon, as a trust or COLTAF account); Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation, including by returning unearned fees and any papers and property to which the client is entitled); Colo. RPC 1.16A (a lawyer in private practice shall retain a client's



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file unless the lawyer gives the file to the client, the client authorizes the destruction, or the lawyer has notified the client in writing of the intention to destroy the file); Colo. RPC 5.3 (setting forth a lawyer's responsibilities to ensure that nonlawyer assistants act in a manner consistent with the lawyer's professional obligations); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).

The case file is public per CRCP 251.31.

No. 18PDJ075. People v. Pruitt. 4/25/2019.

Following a sanctions hearing, the Presiding Disciplinary Judge disbarred Brett Pruitt (pro hac vice registration number 17PH5175) from the practice of law in Colorado. The disbarment took effect May 30, 2019.

Pruitt, a Texas lawyer, was subject to a pending disciplinary proceeding in Texas when he agreed to represent a Colorado client pro hac vice in a criminal matter. He found local counsel to sponsor his pro hac vice status, claiming he was in good standing in Texas. Pruitt then fraudulently certified to Colorado courts in his pro hac vice application that he was not subject to any disciplinary proceeding. During his representation of the Colorado client, Pruitt was suspended in Texas, yet he continued to represent the Colorado client in violation of the Texas disciplinary order. When his misrepresentations were discovered, Pruitt presented to local counsel a forged Texas suspension agreement to conceal the effective date of his suspension.

Through his conduct, Pruitt violated Colo. RPC 3.3(a)(1) (a lawyer shall not knowingly make a false statement of material fact or law to a tribunal); Colo. RPC 3.4(c) (a lawyer shall not knowingly disobey an obligation under the rules of a tribunal); Colo. RPC 4.1(a) (a lawyer shall not, in the course of representing a client, knowingly make a false statement of material law or fact to a third person); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).

The case file is public per CRCP 251.31.

No. 19PDJ038. People v. Sanchez. 5/28/2019.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct

and suspended Gordon D. Sanchez (attorney registration number 12919) from the practice of law for one year and one day, all to be stayed upon the successful completion of a two-year period of probation. The probation was effective July 2, 2019.

In May 2017, Sanchez entered into a fee agreement with a client in a criminal case. The agreement provided, in part, that the client would pay \$12,500 for representation up through a disposition hearing. The client paid Sanchez the same day the agreement was signed. Even though no disposition or comparable hearing had yet taken place, Sanchez deposited \$7,500 of the fee into his operating account. The remaining \$5,000 was not immediately deposited into any account. The \$5,000 was deposited into Sanchez's operating account in late June 2017.

The client was charged in a new matter in November 2017 but hired a different lawyer to

represent him in that case. The matters were set for a court appearance in January 2018. Though the other counsel appeared with the client, Sanchez did not appear. Between January and March 2018, the client tried numerous times to contact Sanchez by phone and in writing, but Sanchez never spoke to the client after late January. In late February, shortly after Sanchez's mother died, new counsel substituted into the original criminal case. After the representation ended, Sanchez failed to provide a requested accounting as to legal fees.

Through his conduct, Sanchez violated Colo. RPC 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of the matter); Colo. RPC 1.4(a)(4) (a lawyer shall promptly comply with reasonable requests for information); Colo. RPC 1.5(f) (a lawyer does not earn fees until a benefit is conferred on the client or the lawyer performs a legal

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service); Colo. RPC 1.15A(a) (a lawyer shall hold client property separate from the lawyer's own property); and Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation, including by returning unearned fees and any papers and property to which the client is entitled).

The case file is public per CRCP 251.31.

No. 18PDJ051. People v. Walls II. 5/10/2019. Following a sanctions hearing, the Presiding Disciplinary Judge disbarred Ronald G. Walls II (attorney registration number 48556). The disbarment took effect June 14, 2019.

In two client matters, Walls documented in invoices the remaining amounts of his clients' retainers, yet he never returned those unearned funds. Nor did he respond to one client's request for an accounting. Walls converted the clients' money.

Through this conduct, Walls violated Colo. RPC 1.15A(b) (upon receiving funds or other property of a client or third person, a lawyer shall promptly deliver to the client or third person any funds or property that person is entitled to receive); Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation, including returning unearned fees to which the client is entitled); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).

The case file is public per CRCP 251.31.

No. 19PDJ008. People v. Watkins. 5/23/2019. The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Gregory Lee Watkins (attorney registration number 25800) from the practice of law for six months, effective June 27, 2019.

Watkins must show as part of any reinstatement application or affidavit that he is in compliance with all applicable child support and maintenance orders. If he comes into compliance with all such orders, he may seek reinstatement under CRCP 251.29(b) before the six-month period of suspension expires.

Watkins was divorced in March 2016. The court ordered him to make 94 monthly maintenance payments of \$2,855 to his ex-wife and to make monthly child support payments in the amount of \$770. Watkins began having difficulty making the payments in late 2017. As of early May 2018, he was in arrears in the amount of \$1,540 in child support and about \$8,655 in maintenance. He came into compliance as to child support by mid-May 2018, yet he fell further behind on maintenance. As of May 2019, Watkins was current on child support but had a maintenance arrearage of \$25,695. He has not filed a motion to modify his child support or maintenance obligations. Through his conduct, Watkins violated Colo. RPC 3.4(c) (a lawyer shall not knowingly disobey an obligation under the rules of a tribunal).

The case file is public per CRCP 251.31. 

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