

## Disciplinary Case Summaries

**No. 18PDJ056. People v. Clark.** 9/13/2018. The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Danielle Clark (attorney registration number 44316) for three years, effective September 13, 2018.

Clark was charged in Pennsylvania with five criminal counts—including at least one felony charge—after she was arrested for possession of heroin with the intent to deliver. At the time

of her arrest, Clark was six months pregnant with her co-defendant's child. She was aware of the co-defendant's drug dealing and admits engaging in activities for him, including carrying money. Clark had grown financially and emotionally dependent on him, however, and she came to fear him, as he grew more volatile and abusive after she became pregnant.

Clark was incarcerated and later was released to house arrest. She is currently in compliance

with her probationary conditions. But she never reported her conviction to Colorado disciplinary authorities.

Through this conduct, Clark violated 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) and Colo. RPC 3.4(c) (a lawyer shall not knowingly disobey an obligation under the rules of a tribunal).

**No. 18PDJ054. People v. Dart.** 8/23/2018.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct in this reciprocal discipline matter and publicly censured Nahshon Joshua Dart (attorney registration number 41959), effective August 23, 2018.

On May 31, 2018, the Supreme Court of Wyoming issued an order publicly censuring Dart, having determined that he violated Wyoming RPC 1.3 (lack of diligence), Wyoming RPC 1.4 (lack of communication), and Wyoming RPC 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation). The Supreme Court of Wyoming found that Dart neglected to diligently pursue representation of a client in a defamation matter; failed to maintain adequate communication with the client; and failed to inform the client that the court had awarded attorney fees against her and had dismissed the case for noncompliance with discovery orders.

Through this conduct, Dart engaged in conduct constituting grounds for discipline under CRCP 251.21.

**No. 18PDJ039. Daybell v. People.** 8/28/2018.

The Presiding Disciplinary Judge approved a stipulation and agreement under CRCP 251.29(j) and reinstated Brad Daybell (attorney regis-

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tration number 40303) to the practice of law, effective August 28, 2018. The parties agreed that Daybell has been rehabilitated, has complied with disciplinary orders and rules, and is fit to practice law.

**No. 18PDJ048. People v. Korn.** 7/30/2018.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and publicly censured Robert David Korn (attorney registration number 06011), effective September 3, 2018.

Korn took a deposition in his law office in San Miguel County. The deposition became contentious, and he left the room to cool down. When he reentered the room, opposing counsel had moved his chair, partially blocking the door. Korn forcefully reentered the room, hitting the chair. He then placed opposing counsel in a headlock and brought his fist close to opposing

counsel's face. As a court reporter present at the time recounted, Korn told opposing counsel, "This is how we settle cases around here." Korn was charged with harassment but was permitted to enter a diversion agreement.

Through this conduct, Korn violated 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) and Colo. RPC 8.4(d) (a lawyer shall not engage in conduct prejudicial to the administration of justice). 

These summaries of disciplinary case opinions and conditional admissions of misconduct are prepared by the Office of the Presiding Disciplinary Judge and are provided as a service by the CBA; the CBA cannot guarantee their accuracy or completeness. Full opinions are available on the Office of the Presiding Disciplinary Judge website at [www.coloradosupremecourt.com/PDJ/PDJ\\_Decisions.asp](http://www.coloradosupremecourt.com/PDJ/PDJ_Decisions.asp).



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