

**BEFORE THE ARKANSAS SUPREME COURT  
COMMITTEE ON PROFESSIONAL CONDUCT  
PANEL A**

IN RE: JAMES E. EVANS, JR.  
Arkansas Bar ID #74050  
CPC Docket No. 2016-051

**CONSENT FINDINGS AND ORDER**

The formal charges of misconduct upon which this Findings and Order is based arose from information obtained from the complaint of Llyod Thurman. James E. Evans, Jr. (“Evans”) is an attorney practicing primarily in Springdale, Arkansas. Following Mr. Evans’ receipt of the formal complaint, Mr. Evans entered in to discussion with the Executive Director which resulted in an agreement by consent pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2011).

Evans represented Lloyd and Betty Thurman in a loan dispute with Liberty Bank (now known as Centennial Bank, herein “Bank”). Bank filed foreclosure action against Lloyd and Betty Thurman in Washington County CV-2013-923. Evans filed an answer on behalf of Mr. and Mrs. Thurman.

On July 26, 2013, Bank filed Requests for Admissions propounded to both Mr. and Mrs. Thurman. Evans received the Requests for Admissions on August 5, 2013, and in a letter dated August 6, 2013, Evans sent the Requests for Admissions to Mr. and Mrs. Thurman with instructions that they “have thirty days from the date we received them to prepare our answers.” On September 4, 2013, at approximately 4:00 p.m., Mr. and Mrs. Thurman brought their responses to the requests for admissions to Evans’ office. Mr. Thurman indicated that the responses should be filed on that date, but they were not. On September 5, 2013, Evans filed Mr.

and Mrs. Thurman's Responses to Requests for Admissions. The circuit court deemed the Requests for Admissions admitted and entered summary judgment in favor of Bank.

Upon consideration of the formal complaint and attached exhibit materials, the response to it, and other matters before it, and the Arkansas Rules of Professional Conduct, Panel A of the Arkansas Supreme Court Committee on Professional Conduct finds:

A. James E. Evans, Jr.'s conduct violated Arkansas Rule 1.1 in that Evans filed Responses to Requests for Admissions on behalf of his clients, Lloyd and Betty Thurman, one day late, and as a result, the Judge deemed the Requests for Admissions admitted and ruled in favor of the opposing party. B. James E. Evans, Jr.'s conduct violated Arkansas Rule 1.3 in that Evans filed Responses to Requests for Admissions on behalf of his clients, Lloyd and Betty Thurman, one day late, and as a result, the Judge deemed the Requests for Admissions admitted and ruled in favor of the opposing party. C. James E. Evans, Jr.'s conduct violated Arkansas Rule 8.4(d) in that Evans filed Responses to Requests for Admissions on behalf of his clients, Lloyd and Betty Thurman, one day late, and as a result, the Judge deemed the Requests for Admissions admitted and ruled in favor of the opposing party.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel A, that James E. Evans, Jr., Arkansas Bar ID# 74050, be, and hereby is, **CAUTIONED** for his conduct in this matter, and assessed \$50 costs. The costs assessed herein shall be payable by cashier's check or money order payable to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct within thirty (30) days of the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court.

ARKANSAS SUPREME COURT COMMITTEE  
ON PROFESSIONAL CONDUCT - PANEL A

By:/s/ Steven Shults, Vice-Chair, Panel A

Date: July 15, 2016

Original filed with the Arkansas Supreme Court  
Clerk on July 15, 2016.