

BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT

PANEL A

IN RE: GREGORY E. BRYANT

ARKANSAS BAR No. 82024

CPC DOCKET NO. 2004-033

CONSENT FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee by referral from the Arkansas Supreme Court, on February 12, 2004. The information related to the representation of Mary Hiang and Consuella Terrell.

Gregory E. Bryant, Attorney at Law, Little Rock, Arkansas, represented Mary Hiang and Consuella Terrell in an appeal from a conviction in Crawford County Circuit Court. On September 9, 2003, a Judgment and Commitment Order was entered against Mary Hiang and Consuella Terrell. A timely Notice of Appeal was filed on October 7, 2003. The transcript from the trial court proceedings was due to be filed on or before January 6, 2004. Bryant tendered the record to the Arkansas Supreme Court on January 20, 2004, along with a Motion for Rule on the Clerk. The Arkansas Supreme Court granted the Motion for Rule on the Clerk on February 12, 2004, and referred the matter to the Office of Professional Conduct.

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

1. That Mr. Bryant's conduct violated Model Rule 1.3 in that he failed to undertake the necessary steps to obtain an Order extending the time to file the record on appeal beyond the initial ninety (90) day limit and he failed to file, in a timely manner, the record of the lower court proceedings with the Arkansas Supreme Court on behalf of his clients, Mary Hiang and Consuella Terrell. Model Rule 1.3 requires that a lawyer act with reasonable diligence and promptness in representing a client.

2. That Mr. Bryant's conduct violated Model Rule 8.4(d) in that his failure to file the record with the Supreme Court in a timely manner resulted in a delay in the orderly and timely resolution of appellate proceedings and his failure to timely file his client's record with the Supreme Court required the Court to expend additional time and effort which would not have been necessary otherwise. Model Rule 8.4(d) requires that a lawyer not engage in conduct that is prejudicial to the administration of justice.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel A, that GREGORY E. BRYANT, Arkansas Bar ID# 82024, be, and hereby is, CAUTIONED for his conduct in this matter; fined the sum of Five Hundred Dollars (\$500.00); and assessed costs in the amount of Fifty Dollars (\$50.00). The fine and 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: _____

Gwendolyn D. Hodge, Chair, Panel A

Date:
