

**BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL C**

IN RE: Joseph Dewey Hughes

Arkansas Bar ID # 97021

CPC Docket No. 2002-050

FINDINGS & CONSENT ORDER OF DISCIPLINE

The formal charges of misconduct upon which this Consent Order is premised, involving respondent attorney Joseph Dewey Hughes of Paragould, Greene County, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct by Jefferson Chase Holifield and his father Jeff Holifield.

Following Respondent Attorney's receipt of the formal complaint, the attorney entered into discussion with the Executive Director which has resulted in an agreement to discipline by consent pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2002). Upon consideration of the formal complaint and attached exhibits, admissions made by the respondent attorney, the terms of the written consent, the approval of Panel C of the Committee on Professional Conduct, and the Arkansas Model Rules of Professional Conduct, the Committee on Professional Conduct finds:

On October 27, 2000, on Highway 49 North in Craighead County, Chase Holifield and Joseph D. Hughes had an encounter as both drove northbound. Both pulled over and Hughes proceeded to curse Holifield, grabbed him and pushed him against a vehicle, with Hughes losing his wristwatch in the process. Holifield filed assault charges in municipal court in Craighead County. On November 3, 2000, Hughes called Holifield at his work place, demanded the return of his watch within 24 hours "or else," and cursed Holifield. Shortly thereafter Hughes showed up at Holifield's workplace to speak with him again about his watch. Hughes also contacted Holifield's mother about the matter. After related proceedings in Greene County, Mr. Hughes called Holifield's father, Jeff, and asked him to call Chase to drop the charges in Craighead County, stating that what happened in Greene County had been "fixed" as was the pending case in Craighead County. Hughes was convicted of Assault II, a Class B misdemeanor, in Craighead County Municipal Court and appealed to Craighead Circuit Court, where he was again found guilty of Assault II on February 26, 2002.

1. That Mr. Hughes' conduct violated Model Rule 8.4(a) in the following manner:

- a. On October 27, 2000, he assaulted Mr. Jefferson Chase Holifield during a road rage incident, and he was convicted of misdemeanor Assault II.
- b. He called Chase Holifield's father, Jeff Holifield, and stated that the hearing in Paragould was fixed, and that the hearing in Jonesboro would also be fixed.

Model Rule 8.4(a) requires that a lawyer shall not violate or attempt to violate the rules of professional conduct, knowingly assist or induce another to do so, or do so through the acts of another.

2. That Mr. Hughes' conduct violated Model Rule 8.4(d) in the following manner:

- a. On October 27, 2000, he assaulted Mr. Jefferson Chase Holifield during a road rage incident, and he was convicted of misdemeanor Assault II.
- b. He called Chase Holifield's father, Jeff Holifield, and stated that the hearing in Paragould was fixed, and that the hearing in Jonesboro would also be fixed.

Model Rule 8.4(d) requires that a lawyer shall not engage in conduct that is prejudicial to the administration of justice.

WHEREFORE, in accordance with the consent to discipline presented by Joseph Dewey Hughes and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that Respondent Joseph Dewey Hughes, Arkansas Bar No. 97021, be, and he hereby is, REPRIMANDED for his conduct in this matter, and he is placed on probation for twelve (12) months from the date this Order is filed, subject to the conditions of the Probation Agreement between Mr. Hughes and the Committee on Professional Conduct. If he violates his Probation Agreement or fails to complete the program conditions stated therein, upon revocation within twelve months from the date this Order is filed, Mr. Hughes is subject to the six (6) month suspension from the practice of law which was assessed against him by ballot vote by Panel B, as provided in the Probation Agreement

ARKANSAS SUPREME COURT COMMITTEE

ON PROFESSIONAL CONDUCT - PANEL C

By _____

David Newbern, Chairperson

Date _____

