

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

IN RE: **RONALD L. DAVIS, JR.**, Respondent
Arkansas Bar ID #98016
CPC Docket No. 2010-098

FILED

FEB 21, 2011

**LESLIE W. STEEN
CLERK**

CONSENT FINDINGS & ORDER

The formal charges of misconduct upon which this Consent Order is premised, involving Respondent Attorney Ronald L. Davis, Jr. of Little Rock, Arkansas, arose from information brought to the attention of the Committee on Professional Conduct from the file and Orders of the Arkansas Court of Appeals in Case No. CACR 09-1050.

On February 19, 2009, Mr. Jermiko V. Johnson was sentenced to forty-five years in prison. Respondent Davis filed a notice of appeal and timely filed the record on September 21, 2009. His brief was due November 2, 2009. On November 2, 2009, Davis filed a (first) Motion for Extension of Time and was granted until December 17, 2009, to file his brief. On December 17, 2009, Davis filed a Petition for Writ of Certiorari to Complete the Record and for a second extension to file his brief. The Writ was granted and made returnable by February 12, 2010. The Writ was noted as returned on January 28, 2010, and the new Appellant's brief deadline was set as March 1, 2010.

No brief was filed, and on March 30, 2010, the Arkansas Attorney General's Office filed a Motion to Dismiss the appeal for failure to file the required appellant's brief. The Court granted the motion and dismissed the appeal by Formal Order filed April 21, 2010. On April 22 and May 15, 2010, OPC e-mailed Mr. Davis asking about the status of possible reinstatement of Mr. Johnson's appeal. On June 11, 2010, Mr. Davis filed a Motion to Reinstate Appeal and File Belated Brief, accepting full responsibility for the brief not being timely filed and tendering the brief. By Formal

Order filed June 30, 2010, the Court granted the motion, noted the brief was filed, and Chief Judge Vaught noted he would refer Mr. Davis to the Committee. On October 20, 2010, the Court of Appeals affirmed Mr. Johnson's conviction and sentence.

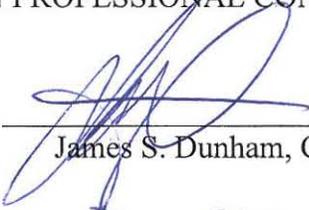
Following Respondent Attorney's receipt of the formal complaint, he entered into negotiation with the Executive Director which resulted in an agreement to discipline by consent pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2002). 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 B of the Committee on Professional Conduct, and the Arkansas Rules of Professional Conduct, the Committee on Professional Conduct finds:

A. Respondent Davis's conduct violated Rule 1.3 in that after obtaining two extensions of time to file his brief, Mr. Davis failed to file a required appellant's brief by March 1, 2010, causing his client's appeal to be dismissed on State's motion, a motion to which Mr. Davis did not respond. Rule 1.3 requires that a lawyer act with reasonable diligence and promptness in representing a client.

B. Respondent Davis's conduct violated Rule 8.4(d) in that his failure to file a timely brief, after two extensions were granted, or to respond to the State's motion to dismiss appeal, caused delays in the processing of his client's appeal, caused the appeal to be dismissed by the Court, and caused the Court of Appeals to have to devote additional and unnecessary time and resources to the case, conduct by Mr. Davis that is prejudicial to the administration of justice. Rule 8.4(d) requires that a lawyer not engage in conduct that is prejudicial to the administration of justice.

WHEREFORE, in accordance with the consent to discipline presented by Mr. Davis and the Executive Director, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct that Respondent **RONALD L. DAVIS, JR.**, Arkansas Bar No. 98016, be, and hereby is, **CAUTIONED** for his conduct in this matter and assessed \$50.00 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 B

By  _____
James S. Dunham, Chairperson, Panel B

Date 2-18-2011