

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
EDWARD MILEY, ESQ., BAR NO. 6063.

No. 55463

FILED

FEB 26 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF REFERRAL TO DISCIPLINARY BOARD

Bar counsel for the State of Nevada has filed a petition pursuant to the reporting requirements of SCR 111(4). The petition is supported by documentation indicating that on December 22, 2009, in the Justice Court of Las Vegas Township, attorney Edward Miley, Nevada Bar number 6063, entered a plea of *nolo contendere* to one count of battery constituting domestic violence, a misdemeanor in violation of NRS 33.018, 200.481 and 200.485; and one count of cruelty to animals, a misdemeanor in violation of NRS 574.100 and CCO 10.32.120. Miley was sentenced to six months in jail on each count, to be served concurrently, which sentence was suspended subject to Miley's compliance with the following conditions: complete a total of 100 hours of community service; attend domestic violence counseling; continue with aftercare; abstain from alcohol and drugs; stay out of trouble; and pay a total of \$1,000 in fines and fees. Five other counts were dismissed. Miley timely self-reported his conviction to bar counsel.

The crimes to which Miley pleaded *nolo contendere* are not among the crimes specifically enumerated in SCR 111(6) as mandating temporary suspension and referral to the disciplinary board. Accordingly,

temporary suspension and/or referral to the disciplinary board are discretionary with this court. SCR 111(9).

It appears that under SCR 111(9), the convictions are not for minor offenses. We therefore refer this matter to the appropriate panel of the state bar disciplinary board for determination of the discipline to impose. We decline to impose a temporary suspension at this time.

It is so ORDERED.¹

J. Hardesty J.
Hardesty

Douglas J.
Douglas

Pickering J.
Pickering

cc: Rob W. Bare, Bar Counsel
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Chesnoff & Schonfeld

¹ This order constitutes our final disposition of this matter. Should there be any further proceedings concerning Miley, they shall be docketed as a new matter.