

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
LE'DELL SANDERS JOINER, BAR NO.  
10378.

No. 58795

**FILED**

NOV 28 2012

TRACEY K. IRIDIAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

ORDER OF DISBARMENT

This is an automatic review of a decision of a hearing panel of the Southern Nevada Disciplinary Board, recommending that attorney Le'Dell Sanders Joiner be disbarred from the practice of law in Nevada. See SCR 105(3)(b).

The events leading up to this recommendation involve three different individuals who sought Joiner's legal counsel. However, all three cases deal with Joiner's failure to communicate and represent each client, to the clients' detriment.

The State Bar filed 2 formal complaints against Joiner, alleging 3 counts of misconduct and 14 violations of the rules of professional conduct. Despite receiving ample notice of the proceedings against him, Joiner failed to defend against the charges.

The panel dismissed 3 alleged violations and found that Joiner was guilty of the following 11 violations: 2 violations of RPC 1.1 (competence), 2 violations of RPC 1.3 (diligence), 3 violations of RPC 1.4 (communication), 1 violation of RPC 1.16 (declining or terminating representation), and 3 violations of RPC 8.1(b) (bar admission and disciplinary matters). The panel also found the following aggravating factors, pursuant to SCR 102.5: dishonest or selfish motive, a pattern of

misconduct, multiple offenses, bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders, refusal to acknowledge the wrongful nature of his conduct, vulnerability of victim, and indifference to making restitution. Conversely, the panel found only two mitigating factors: Joiner lacked experience and lacked prior discipline. The panel found that the aggravating factors outweighed the mitigating factors. Based on these findings, the panel recommended that Joiner be disbarred from the practice of law in Nevada, and that he be required to pay the costs of the disciplinary proceeding.

A decision of a panel of the Southern Nevada Disciplinary Board recommending disbarment is subject to automatic review by this court. SCR 105(3)(b). Although persuasive, the panel's findings and recommendations are not binding on this court. Matter of Discipline of Droz, 123 Nev. 163, 168, 160 P.3d 881, 884 (2007). "This court must review the record de novo and exercise its independent judgment to determine whether and what type of discipline is warranted." Id. at 168, 160 P.3d at 884-85 (quoting In re Stuhff, 108 Nev. 629, 633, 837 P.2d 853, 855 (1992)). The panel's findings of misconduct must be supported by clear and convincing evidence. In re Drakulich, 111 Nev. 1556, 1566, 908 P.2d 709, 715 (1995).

SCR 105(2) provides that if an attorney fails to plead in response to a State Bar complaint, the charges shall be deemed admitted. We conclude that the allegations in the second complaint are deemed admitted.<sup>1</sup> We further conclude that clear and convincing evidence

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<sup>1</sup>Joiner filed an unverified answer to the first complaint denying any misconduct but failed to reply to the State Bar's motion to strike the  
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supports the panel's findings. Finally, we conclude that the State Bar's recommended discipline is appropriate in light of the nature of Joiner's misconduct.

Accordingly, we disbar Joiner from the practice of law in Nevada. Such disbarment is irrevocable. See SCR 102(1). Further, Joiner shall pay the costs of the disciplinary proceedings within 30 days of receipt of the Nevada State Bar's bill of costs. See SCR 120.

It is so ORDERED.

Cherry, C.J.  
Cherry

Douglas, J.  
Douglas

Gibbons, J.  
Gibbons

Hardesty, J.  
Hardesty

Saitta, J.  
Saitta

Pickering, J.  
Pickering

Parraguirre, J.  
Parraguirre

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unverified answer, attempt to file a verified answer, or attend the disciplinary hearing. Nevertheless, this court reviewed the answer prior to deciding this matter.

cc: Jeffrey R. Albregts, Chair, Southern Nevada Disciplinary Board  
David Clark, Bar Counsel  
Kimberly K. Farmer, Executive Director, Nevada State Bar  
Le'Dell S. Joiner, Esq.  
Perry Thompson, Admissions Office, U.S. Supreme Court