

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
RYAN R. WEST, BAR NO. 8721.

No. 70633

FILED

NOV 10 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]* DEPUTY CLERK

*ORDER GRANTING RECIPROCAL DISCIPLINE
AND DISBARRING ATTORNEY*

This is a petition under SCR 114 to reciprocally discipline attorney Ryan R. West, based on discipline imposed upon him in Utah. West did not self-report his Utah discipline as required by SCR 114(1), nor did he respond to this petition, SCR 114(3).

West, an attorney admitted to practice in Nevada and Utah, has been suspended in Nevada since 2013 based on his failure to pay bar dues and submit required certifications. See SCR 98(12). West was recently disbarred in Utah for failing to competently or diligently represent mortgage-borrower clients; failing to consult with the borrowers before making and accepting settlement offers; failing to keep the borrowers informed; failing to complete work that the borrowers hired him to do and by charging an unreasonable fee in billing for work that was never completed; misleading the borrowers about the case status; failing to keep client funds in his trust account and failing to properly manage the funds in his client trust account; failing to promptly and fully return funds of a different client or to provide an accounting in either matter; failing to timely release the borrower's file; failing to respond to the bar's written notices or to attend the disciplinary proceedings; entering into

loan agreements on behalf of a client, misrepresenting that he or the client owned the loan collateral, misleading investors regarding encumbrances on the property, and forming a company with a similar name as the company that actually owned the property for the purpose of misleading investors.

SCR 114 mandates the imposition of identical reciprocal discipline unless one of four exceptions applies. None of those exceptions apply in this case. In the absence of mitigating factors, disbarment is appropriate when an attorney engages in “intentional conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously adversely reflects on the lawyer’s fitness to practice,” ABA Standards for Imposing Lawyer Sanctions, *Compendium of Professional Responsibility Rules and Standards*, Standard 5.11 (2015), such as West’s creating a corporation with the same name as his client’s in connection with obtaining loans for his own benefit totaling more than \$2 million by purporting to convey security interests in property that he neither owned nor was authorized to pledge as collateral. Likewise, disbarment is appropriate when an attorney knowingly converts client funds, *see id.* Standard 4.11, and West has not returned client funds entrusted to his safekeeping. Sanctions are also warranted as West has engaged in misconduct here similar to that for which he has been publicly reprimanded previously, *see id.* Standard 8.2; *In re Discipline of West*, Docket No. 62100 (Order Imposing Reciprocal Discipline, August 1, 2014), and for West’s failure to act with diligence and competence in the mortgage borrower matter, failure to adequately inform the borrower of developments, and proffer and acceptance of settlement offers without the borrower’s authorization or consent, as well as his failure to respond to or cooperate with disciplinary proceedings. Lastly, no

mitigating factors appear in the record, and the following aggravating factors are present: prior disciplinary offenses, dishonest or selfish motive, a pattern of misconduct, multiple offenses, and bad faith obstruction of disciplinary proceedings by failing to comply with the disciplinary body's rules and orders. See SCR 102.5(1)(a)-(e).

We hereby grant the petition and disbar attorney Ryan R. West from the practice of law in Nevada. Such disbarment is irrevocable. SCR 102(1). The parties shall comply with SCR 115 and SCR 121.1.

It is so ORDERED.

Parraguirre, C.J.
Parraguirre

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Ryan R. West
C. Stanley Hunterton, Bar Counsel, State Bar of Nevada
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Perry Thompson, U.S. Supreme Court Admissions Office