

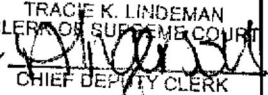
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
BRANDON B. SMITH, BAR NO. 7916.

No. 68168

FILED

JUL 21 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

*ORDER OF TEMPORARY SUSPENSION AND
REFERRAL TO DISCIPLINARY BOARD*

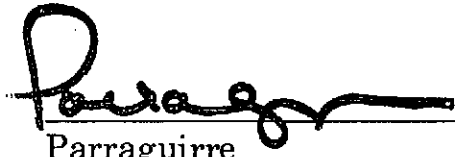
The State Bar has filed a petition under SCR 111(4) seeking the temporary suspension of attorney Brandon B. Smith. The petition is based on Smith's conviction in the Eighth Judicial District Court, pursuant to a guilty plea, of battery by strangulation, a felony.¹ Smith failed to inform the State Bar of his conviction. *See* SCR 111(2).

When an attorney has been convicted of a serious crime, SCR 111 provides that this court shall enter an order suspending that attorney. SCR 111(7). A felony is explicitly a "serious crime" under SCR 111, and a guilty plea constitutes a "conviction," regardless of whether a sentence is suspended or deferred. SCR 111(1), (6). Smith pleaded guilty to a felony count and has therefore been convicted of a serious crime for purposes of SCR 111.

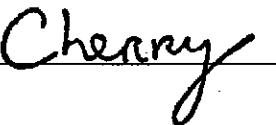
¹The State Bar's petition also includes details about Smith's multiple prior misdemeanor convictions. Because Smith has been convicted of a felony, which requires an automatic temporary suspension, we need not consider his prior misdemeanor convictions in resolving this petition.

Accordingly, we temporarily suspend Smith from the practice of law and refer this matter to the Southern Nevada Disciplinary Board for the initiation of formal disciplinary proceedings in which the sole issue to be determined is the extent of discipline to be imposed. *See* SCR 111(7), (8).

It is so ORDERED.

 J.
Parraguirre

 J.
Douglas

 J.
Cherry

cc: Jeffrey Posin, Chair, Southern Nevada Disciplinary Board
David A. Clark, Bar Counsel
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Law Offices of Brandon B. Smith, P.C.
Perry Thompson, Admissions Office, United States Supreme Court