

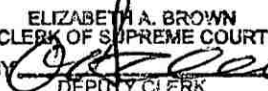
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
BRIAN J. SMITH, BAR NO. 11279

No. 86497

FILED

JUN 16 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

*ORDER IMPOSING TEMPORARY SUSPENSION AND
REFERRING ATTORNEY TO DISCIPLINARY BOARD*

Bar counsel has filed a petition under SCR 111(4) informing this court that attorney Brian J. Smith has been convicted of reckless driving causing substantial bodily harm, a felony under NRS 484B.653(9), and driving under the influence, a misdemeanor under NRS 484C.400(1). Smith self-reported the convictions as required by SCR 111(2).

When a petition filed under SCR 111(4) establishes that an attorney has been convicted of a “serious crime,” this court is required to suspend the attorney pending a disciplinary proceeding and refer the attorney to the appropriate disciplinary board.¹ SCR 111(7) (“Upon the filing with the supreme court of a petition with a certified copy of proof of the conviction, demonstrating that an attorney has been convicted of a serious crime, the court shall enter an order suspending the attorney . . . pending final disposition of a disciplinary proceeding”); SCR 111(8) (“Upon receipt of a petition filed under subsection 4 of this rule, demonstrating that an attorney has been convicted of a serious crime, the

¹For purposes of SCR 111, a “conviction” includes a guilty plea “regardless of . . . whether a final judgment of conviction has been entered.” SCR 111(1).

supreme court shall, in addition to suspending the attorney in accordance with the provisions of subsection 7 of this rule, refer the matter to the appropriate disciplinary board”). Under SCR 111(6), a felony is a “serious crime.” Smith’s conviction for reckless driving causing substantial bodily harm—a felony—thus requires a suspension and referral.

Accordingly, we suspend attorney Brian J. Smith from the practice of law in Nevada pending a disciplinary proceeding and refer him to the Southern Nevada Disciplinary Board for a hearing to determine “the extent of the discipline to be imposed.” SCR 111(8).

It is so ORDERED.²

Stiglich, C.J.
Stiglich

Pfe, J.
Lee

Bell, J.
Bell

cc: Chair, Southern Nevada Disciplinary Board
Bar Counsel, State Bar of Nevada
Law Office of Gabriel L. Grasso, P.C.
Executive Director, State Bar of Nevada
Admissions Office, United States Supreme Court

²This order constitutes our final disposition of this matter. Any further proceedings involving Smith shall be docketed as a new matter.