

SUPREME COURT OF GEORGIA

In re Mays

810 S.E.2d 478 (Ga. 2018) · Decided February 19, 2018

SUMMARY

The Georgia Supreme Court disbarred Natalie Dawn Mays after she defaulted in a disciplinary proceeding. The court found that her neglect of a client's bankruptcy and related matters, failure to communicate, failure to refund an unearned fee, and failure to cooperate with the State Bar violated multiple Georgia Rules of Professional Conduct.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Per Curiam; All the Justices
JURISDICTION	Georgia
DECIDED	February 19, 2018
DISPOSITION	other
PROCEDURAL POSTURE	Attorney-discipline proceeding initiated by the State Bar of Georgia through a Notice of Discipline seeking disbarment. The respondent failed to acknowledge service, failed to file a Notice of Rejection, and defaulted.
STANDARD OF REVIEW	The Court reviewed the disciplinary record and deemed the factual allegations admitted by Mays's default.
PRECEDENTIAL VALUE	Published disciplinary opinion; binding precedent of the Supreme Court of Georgia.
PARTIES	State Bar of Georgia

TOPICS

bankruptcy

administrative law

PRACTICE AREAS

attorney discipline

professional responsibility

bankruptcy

QUESTIONS PRESENTED

1. Whether Mays's default and deemed admissions established violations of the Georgia Rules of Professional Conduct.
2. Whether disbarment was the appropriate sanction for Mays's professional misconduct.

HOLDINGS

1. Because Mays failed to file a Notice of Rejection after proper service by publication, she was in default, waived her right to an evidentiary hearing, and the alleged facts were deemed admitted.
2. Mays's admitted conduct violated Georgia Rules of Professional Conduct 1.3, 1.4, 1.5, 1.16, and 3.2.
3. Disbarment was the appropriate sanction for Mays's misconduct.

FACTUAL BACKGROUND

Mays was retained in 2013 to represent a client in a bankruptcy case and received a \$4,000 fee. She repeatedly failed to communicate with the client, failed to respond to the client's personal-injury attorney and bankruptcy trustee, and was sanctioned and terminated as counsel by the bankruptcy court in 2017. She did not refund the unearned portion of the fee and failed to respond to the State Bar's investigation.

PROCEDURAL HISTORY

After Mays failed to respond to the client's grievance and the State Bar's Notice of Investigation, she was placed under an indefinite suspension. The State Bar later served a Notice of Discipline by publication after unsuccessful service at her address of record. Mays failed to file a Notice of Rejection, waived an evidentiary hearing, and defaulted. The Supreme Court of Georgia reviewed the deemed-admitted facts and ordered disbarment.

DISPOSITION

other

CASES CITED

- In the Matter of Mays, S17Y1976 (July 27, 2017)
- In the Matter of Archer, 292 Ga. 553, 554, 739 S.E.2d 386 (2013)
- In the Matter of Shaw, 292 Ga. 149, 150, 734 S.E.2d 405 (2012)

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