

SUPREME COURT OF OKLAHOMA

State ex rel. Oklahoma Bar Association v. Ezell

2019 OK 71 (Okla. 2019) · No. SCBD-6847 · Decided November 4, 2019

SUMMARY

The Oklahoma Supreme Court immediately suspended Julia Marie Ezell from practicing law after receiving certified records of her guilty pleas to misdemeanor offenses involving computer use and false reporting. The order established deadlines for Ezell to show cause regarding the interim suspension and to respond concerning final discipline.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Chief Justice Gurich; Vice Chief Justice Darby; Justice Kauger; Justice Winchester; Justice Edmondson; Justice Colbert; Justice Combs; Justice Kane
JURISDICTION	Oklahoma
DECIDED	November 4, 2019
DOCKET	SCBD-6847
DISPOSITION	other
PROCEDURAL POSTURE	Attorney-discipline proceeding initiated after the Oklahoma Bar Association submitted certified copies of the respondent lawyer's guilty plea and deferred judgment in a criminal case; the Supreme Court entered an immediate interim suspension and directed the respondent to show cause.
PRECEDENTIAL VALUE	Published in the Oklahoma Bar Journal only and expressly marked not for official publication.

TOPICS

remedies

criminal procedure

PRACTICE AREAS

attorney discipline

legal ethics

criminal procedure

QUESTIONS PRESENTED

1. Whether the certified criminal documents submitted under Rule 7.2 of the Rules Governing Disciplinary Proceedings required the Supreme Court to immediately suspend Ezell from the practice of law under Rule 7.3.
2. What procedures and deadlines governed Ezell's opportunity to seek dissolution of the interim suspension or contest the imposition of final discipline.

HOLDINGS

1. Upon receipt of certified copies of a lawyer's guilty plea, deferred-sentence order, or qualifying information and judgment and sentence, the Supreme Court must immediately suspend the lawyer from the practice of law until further order.
2. A certified copy of a guilty plea, deferred-judgment order, or information and judgment and sentence constitutes the disciplinary charge, is conclusive evidence of commission of the underlying crime, and suffices as a basis for discipline under the disciplinary rules.

KEY QUOTATIONS

"Upon receipt of the certified copies of Judgment and Sentence on a plea of guilty, order deferring judgment and sentence, indictment or information and the judgment and sentence, the Supreme Court shall by order immediately suspend the lawyer from the practice of law until further order of the Court." (§12)

"shall constitute the charge and be conclusive evidence of the commission of the crime upon which the judgment and sentence is based and shall suffice as the basis for discipline in accordance with these rules." (§13)

FACTUAL BACKGROUND

On October 16, 2019, Julia Marie Ezell pleaded guilty to misdemeanor counts of using a computer to violate Oklahoma statutes and making false reports of a crime. The Oklahoma County District Court imposed concurrent five-year deferred sentences and required \$21,810 in restitution, which was paid in full upfront. The Oklahoma Bar Association submitted certified copies of the criminal case documents to the Supreme Court of Oklahoma.

PROCEDURAL HISTORY

Julia Marie Ezell pleaded guilty in the Oklahoma County District Court to misdemeanor computer-use and false-reporting offenses. The district court imposed concurrent five-year deferred sentences and ordered \$21,810 in restitution, paid in full upfront. The Oklahoma Bar Association then forwarded certified copies of the criminal documents to the Supreme Court of Oklahoma under Rules 7.1 and 7.2 of the Rules Governing Disciplinary Proceedings.

DISPOSITION

other

