

SUPREME COURT OF OKLAHOMA

State ex rel. Oklahoma Bar Association v. Givens

Givens, 2014 OK 70 (Okla. 2014) · No. SCBD-6153 · Decided July 15, 2014

SUMMARY

The Oklahoma Supreme Court ordered the immediate interim suspension of Blake Rodman Givens from the practice of law after receiving certified records reflecting his guilty pleas and judgment in Tulsa County criminal proceedings. The court directed Givens to show cause regarding the interim suspension and any final discipline under the Rules Governing Disciplinary Proceedings.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Colbert, C.J.; Reif, V.C.J.; Kauger, J.; Watt, J.; Winchester, J.; Taylor, J.; Combs, J.; Gurich, J.; Edmondson, J.
JURISDICTION	Oklahoma
DECIDED	July 15, 2014
DOCKET	SCBD-6153
DISPOSITION	other
PROCEDURAL POSTURE	Original attorney-discipline proceeding in which the Oklahoma Bar Association submitted certified criminal-plea and judgment documents and sought interim suspension.
PRECEDENTIAL VALUE	Published in the Oklahoma Bar Journal only; the opinion states that it was not released for publication.
PARTIES	State of Oklahoma ex rel. Oklahoma Bar Association v. Blake Rodman Givens

TOPICS

[appellate procedure](#) [remedies](#) [equitable relief](#)

PRACTICE AREAS

[attorney discipline](#) [professional responsibility](#) [criminal conduct by attorneys](#)

QUESTIONS PRESENTED

1. Whether the Oklahoma Supreme Court was required to immediately suspend Givens from the practice of law upon receiving the certified criminal judgment and related documents under Rule 7.3 of the Rules Governing Disciplinary Proceedings.
2. Whether the certified guilty plea, deferred-sentence order, information, and judgment and sentence constituted conclusive evidence of the commission of the underlying crimes and a sufficient basis for attorney discipline under Rule 7.2.

HOLDINGS

1. Upon receiving the certified copies specified by Rule 7.3 of the Rules Governing Disciplinary Proceedings, the Supreme Court of Oklahoma must immediately suspend the lawyer from practicing law until further order of the court.
2. A certified guilty plea, order deferring judgment and sentence, or information and judgment and sentence of conviction constitutes the charge and is conclusive evidence of the commission of the crime on which the judgment and sentence is based, and is sufficient as the basis for discipline under the Rules Governing Disciplinary Proceedings.

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.”

“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.”

FACTUAL BACKGROUND

Blake Rodman Givens entered a guilty plea to domestic assault and battery in the presence of a minor, in violation of 21 O.S. § 664(f), and disturbing the peace, in violation of 21 O.S. § 22. The Oklahoma Bar Association submitted certified copies of the criminal proceedings, including the deferred-sentence order and subsequent judgment and sentence, to the Oklahoma Supreme Court.

PROCEDURAL HISTORY

The Oklahoma Bar Association forwarded certified copies of an information, deferred-sentence order, order accelerating judgment and sentence, and judgment and sentence to the Supreme Court of Oklahoma under Rules 7.1 and 7.2 of the Rules Governing Disciplinary Proceedings. The court entered an immediate interim suspension and directed Respondent to show cause why the suspension should be set aside and why final discipline should not be imposed.

DISPOSITION

other

OPINION

PER CURIAM.

OSCN Found Document:STATE ex rel. OKLAHOMA BAR ASSOCIATION v. GIVENS OSCN navigation Home Courts Court Dockets Legal Research Calendar Help Previous Case Top Of Index This Point in Index Citationize Next Case Print Only STATE ex rel. OKLAHOMA BAR ASSOCIATION v. GIVENS2014 OK 70Case Number: SCBD-6153Decided: 07/15/2014THE SUPREME COURT OF THE STATE OF OKLAHOMACite as: 2014 OK 70, __ P.3d __ FOR PUBLICATION IN OBJ ONLY.

NOT RELEASED FOR PUBLICATION. STATE OF OKLAHOMA ex rel. OKLAHOMA BAR ASSOCIATION, Complainant, v. BLAKE RODMAN GIVENS, Respondent. ORDER OF IMMEDIATE INTERIM SUSPENSION The Oklahoma Bar Association (OBA), in compliance with Rule 7.1 and 7.2 of the Rules Governing Disciplinary Proceedings (RGDP), has forward to this Court certified copies of the Information and Order of Deferred Sentence in which Blake Rodman Givens entered a plea of guilty to Domestic Assault & Battery in the Presence of a Minor, a violation of 21 OS 664(f) (Tulsa County, CM 2011-3434); and Disturbing the Peace, a violation of 21 OS 22 (Tulsa County, CM 2011-3434).

In addition, the OBA has forward certified copies of an Order Re Application to Accelerate Judgment and Sentence and the Judgment and Sentence (Tulsa County, CM 2011-3434). Rule 7.3 of the RGDP provides: "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."

Having received certified copies of these papers and orders, this Court orders that Blake Rodman Givens is immediately suspended from the practice of law. Blake Rodman Givens is directed to show cause, if any, no later than July 28, 2014, why this order of interim suspension should be set aside. See RGDP Rule 7.3.

The OBA has until August 11, 2014, to respond to Blake Rodman Givens should one be filed. Rule 7.2 of the RGDP provides that a certified copy of a plea of guilty, an order deferring judgment and sentence, or information and judgment and sentence of conviction "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."

Pursuant to Rule 7.4 of the RGDP, Blake Rodman Givens has until August 18, 2014, to show cause in writing why a final order of discipline should not be imposed, to request a hearing, or to file a brief and any evidence tending to mitigate the severity of discipline.

The OBA has until September 2, 2014, to respond. DONE BY ORDER OF THE SUPREME COURT this 15th day of July, 2014. /S/CHIEF JUSTICE Colbert, C.J., Reif, V.C.J., Kauger, Watt, Winchester, Taylor, Combs and Gurich, JJ, concur; Edmondson, J., dissents Citationizer© Summary of Documents Citing This Document Cite Name Level None Found. Citationizer: Table of Authority Cite Name Level None Found.

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