



SUPREME COURT OF GEORGIA
Case No. S00Y0811.

Atlanta

MAR 10 2000

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

IN THE MATTER OF R. GAWYN MITCHELL

This disciplinary matter is before the Court on the special master's recommendation that the Court accept Respondent R. Gawyn Mitchell's Petition for Voluntary Discipline, filed pursuant to Bar Rules 4-210 (d) and 4-227 (c), in which he admits violating Standards 4 (a lawyer shall not engage in professional conduct involving dishonesty, fraud, deceit, or wilful misrepresentation) and 25 (a lawyer shall not practice law in a jurisdiction where to do so would be in violation of regulations of the profession in that jurisdiction) of Bar Rule 4-102 (d), and seeks the imposition of a Review Panel reprimand. Although violations of Standards 4 and 25 may be punished by disbarment and a public reprimand, respectively, both the State Bar and the special master agree that a Review Panel reprimand is an appropriate discipline in this case and recommend acceptance of the petition.

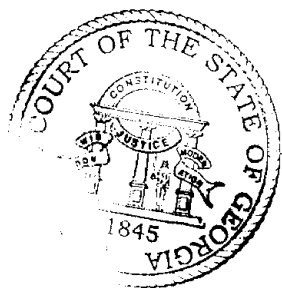
Mitchell filed his petition in lieu of an answer to the State Bar's Formal Complaint charging him with violating Standards 4 and 25 of Bar Rule 4-102 (d), as permitted by Bar Rule 4-212 (d). Mitchell admits violating these standards in connection with his representation of a client in a divorce action in the Superior Court of Houston County, Georgia, in July and August of 1999. The client, who was residing in Mississippi, had retained a Mississippi attorney, who was not admitted in Georgia, to represent him in the divorce proceedings. After the Mississippi attorney

associated Mitchell due to his membership in the State Bar of Georgia, Mitchell gave the client legal advice and appeared in the Georgia divorce proceedings by signing and filing pleadings purporting to represent the client as his Georgia counsel. Although Mitchell, who resides in Mississippi and is an active member of the Mississippi bar, was admitted to the Georgia bar in 1985, he has been on inactive status since October 1990. Based on Mitchell's representation of the client, Mitchell admitted that he wilfully misrepresented his status as a member of the State Bar of Georgia to the parties and to the court. We note, in mitigation of discipline, Mitchell's showing of the following factors: absence of a prior disciplinary record, absence of a selfish motive, full and free disclosure to the State Disciplinary Board, and remorse. See In the Matter of Morse, 266 Ga. 652 (470 SE2d 232) (1996).

We have reviewed the record and hereby accept Mitchell's petition for voluntary discipline. Accordingly, it is hereby ordered that for his violations of Standards 4 and 25 of Bar Rule 4-102 (d), Respondent R. Gawyn Mitchell be administered a Review Panel reprimand pursuant to Bar Rules 4-102 (b) (4) and 4-220 (b).

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta



I hereby certify that the above is a true extract from
The minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto
Affixed the day and year last above written.

, Chief Deputy Clerk