

TO BE PUBLISHED

Supreme Court of Kentucky **FINAL**

2007-SC-000297-KB

DATE July 3, 07 EIA Group DC
MOVANT

WILLIAM MORRIS SAWYER

V.

IN SUPREME COURT

KENTUCKY BAR ASSOCIATION

RESPONDENT

OPINION AND ORDER

Pursuant to SCR 3.480(3), William Morris Sawyer, KBA Member No. 61685, moves this Court to suspend his license to practice law in Kentucky for a period of three years, effective from January 3, 2004, the date he was temporarily suspended after pleading guilty to a Class D felony. Sawyer was admitted to practice law in this Commonwealth on September 1, 1972. His bar roster address is 917 College Street, Bowling Green, Kentucky 42101.

On January 2, 2004, Movant pled guilty to first degree possession of a controlled substance (cocaine), possession of a prescription not in the original container and possession of drug paraphernalia. As a result, he was automatically temporarily suspended by virtue of SCR 3.166. Pursuant to Movant's plea agreement in 2004, he was granted pretrial diversion for five years. He was granted an early release by the Court on August 18, 2006, and is not currently under any probation. His felony case was diverted and dismissed.

The Inquiry Commission charged Movant with one count of violating SCR 3.130-8.3(b) which prohibits a lawyer from committing a criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer in other respects. Movant admits that his felonious acts violated the rule and requests a three-year suspension, retroactive to the date of his temporary suspension. The KBA concluded that this was the appropriate discipline and agrees that the suspension should be retroactive. Movant has taken responsibility for the violations. He did not harm a client in connection with his criminal act, and he has remained compliant with his Kentucky Lawyer Assistance Program (KYLAP) supervision agreement.

We accept the recommendation of the KBA and grant Sawyer's motion.

Upon the foregoing, it is ordered that:

(1) William Morris Sawyer is hereby suspended from the practice of law in the Commonwealth of Kentucky for a period of three years, effective January 3, 2004.

(2) In accordance with SCR 3.450, Sawyer is ordered to pay all costs associated with these disciplinary proceedings, said sum being \$35.88 and for which execution may issue from this Court upon finality of this Opinion and Order.

All sitting. All concur.

ENTERED: June 21, 2007.



CHIEF JUSTICE

TO BE PUBLISHED

Supreme Court of Kentucky **FINAL**

2004-SC-0304-KB
KBA FILE NO. 11318

DATE 6-2-04 EJA Growth, D.C.

KENTUCKY BAR ASSOCIATION

PETITIONER

V.

IN SUPREME COURT

WILLIAM MORRIS SAWYER,
KBA MEMBER NO. 61685

RESPONDENT

OPINION AND ORDER

The respondent, William Morris Sawyer, whose bar roster address is Post Office Box 490, Russellville, Kentucky 42276, was admitted to the practice of law in the Commonwealth of Kentucky on March 17, 1994. In Logan Circuit Court Indictment No. 03-CR-209, Sawyer was charged with and pled guilty to cocaine possession in violation of KRS 218A.1415, a Class D felony. He also pled guilty to the offenses of possession of a prescription not in its original container (KRS 218A.210) and possession of drug paraphernalia (KRS 218A.500). Judgment on Sawyer's plea was entered on January 2, 2004.

SCR 3.166(1) provides that "[a]ny member of the Kentucky Bar Association who pleads guilty to, or is convicted by a judge or jury of, a felony ... shall be automatically suspended from the practice of law in this Commonwealth."

The Kentucky Bar Association (KBA) requests that this Court issue an order confirming the automatic temporary suspension of Sawyer pursuant to SCR 3.166, effective January 3, 2004, until superseded by subsequent order of this Court. As Sawyer has been pronounced guilty of a felony offense, the KBA's request is hereby granted.

Accordingly, it is ORDERED that:

1. The respondent, William Morris Sawyer, is hereby suspended from the practice of law in this Commonwealth. Said suspension shall be effective from January 3, 2004, and shall continue until superseded by subsequent order of this Court.
2. If he has not already done so, Sawyer is directed to notify in writing all clients and all courts in which he has matters pending of his inability to practice law, within ten days from the date of entry of this Opinion and Order. Sawyer is further directed to furnish copies of said letters of notice to the Director of the Kentucky Bar Association.
3. Sawyer shall without delay, to the extent reasonably possible, cancel and cease any advertising activities in which he is engaged.
4. The Inquiry Commission shall commence disciplinary proceedings against Sawyer pursuant to SCR 3.160, unless already begun or unless the respondent resigns under terms of disbarment.

All concur.

ENTERED: May 20, 2004.


CHIEF JUSTICE

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