

Serial: 199871

IN THE SUPREME COURT OF MISSISSIPPI

No. 2015-BD-00139-SCT

THE MISSISSIPPI BAR

v.

JOE DALE WALKER

ORDER OF DISBARMENT

This matter is before the Court, *en banc*, on the Motion to Accept Irrevocable Revocation filed by the Mississippi Bar (the Bar) on March 2, 2015. The Bar moves the Court to accept the irrevocable resignation of Joe Dale Walker, revoke his license to practice law, and forbid his seeking reinstatement in the future.

Joe Dale Walker executed a Notice of Irrevocable Resignation, pursuant to Mississippi Rule of Discipline 10.5, on February 23, 2015, and the same was filed with the Bar on February 26, 2015. Walker averred that disciplinary matter 2015-BD-139 was currently pending before this Court, that no other disciplinary matters were pending against him, and that he did not desire to defend the present matter. Walker requested “permission to irrevocably resign with prejudice from the Mississippi Bar in accordance with Rule 10.5, MRD.” The Bar then filed the current motion.

This Court “has exclusive and inherent jurisdiction regarding the discipline of attorneys as promulgated in the Rules of Discipline for the Mississippi State Bar.” *In re Keenum*, 63 So. 3d 552, 552 (Miss. 2011) (quoting *In re Peters*, 22 So. 3d 266, 267 (Miss.

2009)). Accordingly, this Court conducts ““a de novo review in cases involving the discipline of attorneys.”” *Id.*

Mississippi Rule of Discipline 10.5 provides the following:

An attorney may tender an irrevocable resignation to either the Court or the Tribunal. Such a resignation shall acknowledge each and all disciplinary matters then pending, provide the docket number or numbers, state that the attorney does not desire to defend, and request permission to resign with prejudice from the Bar. Upon receipt of such a resignation, and any response that the Bar may elect to file, the disciplinary proceedings shall terminate and either the Court or the Tribunal shall enter its order accepting the resignation, revoking the attorney’s license, and barring forever thereafter the attorney’s right to seek reinstatement to the privilege of practicing law in this state. Such a resignation and order shall be considered disciplinary action, and the resignation shall be considered tantamount to the proof of guilt on the matter charged.

M.R.D. 10.5.

After due consideration, we find that Joe Dale Walker has properly filed his Notice of Irrevocable Resignation in accordance with Mississippi Rule of Discipline 10.5, and that the Bar is entitled to the relief it seeks. Based on the record before us, and consistent with the Rules of Discipline for the Mississippi Bar and our case law, this Court hereby accepts Joe Dale Walker’s resignation, revokes his license, and bars forever his right to seek reinstatement to the privilege of practicing law in the State of Mississippi.

IT IS THEREFORE ORDERED as follows:

1. Joe Dale Walker is hereby permanently DISBARRED from the practice of law in the State of Mississippi.
2. This order shall constitute public notice of the disbarment of the said Joe Dale Walker.

3. The Clerk of the Mississippi Supreme Court shall forward attested copies of this order to the said Joe Dale Walker and to the Executive Director of the Mississippi Bar.
4. Joe Dale Walker shall, within thirty days following entry of this order, notify his clients, if any, and all other affected courts of his disbarment and comply fully with all additional requirements applicable to disbarred attorneys pursuant to Rule 11 of the Rules of Discipline for the Mississippi State Bar.
5. Joe Dale Walker shall file, within forty-five days following entry of this order, an affidavit with this Court stating that all his clients, if any, have been notified of his disbarment and of his consequent inability to practice law in Mississippi and that he has complied fully with all the requirements set forth in Rule 11 of the Rules of Discipline for the Mississippi State Bar.
6. The Clerk of this Court immediately shall forward attested copies of this order to the Chancery Court Clerk and the Circuit Court Clerk of Lawrence County, Mississippi, to the senior chancellor of the Thirteenth Chancery Court District, and to the senior circuit judge of the Fifteenth Circuit Court District. Such orders shall be entered upon the minutes of those courts in accordance with Rule 8.6(iii) of the Rules of Discipline for the Mississippi State Bar.
7. The Clerk of this Court shall immediately forward attested copies of this order to the Clerks of the United States District Courts for the Northern and Southern Districts of Mississippi, the Clerk of the United States Court of Appeals for the Fifth Circuit, and the Clerk of the Supreme Court of the United States.
8. Costs of these proceedings are hereby taxed against Joe Dale Walker.

SO ORDERED, this the 1st day of September, 2015.

/s/ James W. Kitchens

JAMES W. KITCHENS, JUSTICE
FOR THE COURT

PIERCE, J., NOT PARTICIPATING.