

In the Indiana Supreme Court



In the Matter of: Louis W. Denney,
Petitioner

Supreme Court Case No.
18S00-1104-DI-193

Published Order Granting Conditional Reinstatement to the Practice of Law

On March 5, 2013, this Court suspended Petitioner for not less than three years without automatic reinstatement, effective April 15, 2013, for having committed nine counts of misconduct. Petitioner filed a petition for reinstatement on August 11, 2017, and we appointed a hearing officer. Following an evidentiary hearing, the hearing officer issued a report on August 2, 2019, recommending that Petitioner be reinstated to the practice of law in Indiana. Neither party has filed a petition for review.

A petition for reinstatement may be granted only if the petitioner proves by clear and convincing evidence that:

- (1) The petitioner desires in good faith to obtain restoration of his or her privilege to practice law;
- (2) The petitioner has not practiced law in this State or attempted to do so since he or she was disciplined;
- (3) The petitioner has complied fully with the terms of the order for discipline;
- (4) The petitioner's attitude towards the misconduct for which he or she was disciplined is one of genuine remorse;
- (5) The petitioner's conduct since the discipline was imposed has been exemplary and above reproach;
- (6) The petitioner has a proper understanding of and attitude towards the standards that are imposed upon members of the bar and will conduct himself or herself in conformity with such standards;
- (7) The petitioner can safely be recommended to the legal profession, the courts, and the public as a person fit to be consulted by others and to represent them and otherwise act in matters of trust and confidence, and in general to aid in the administration of justice as a member of the bar and an officer of the Courts; and
- (8) The disability has been removed, if the discipline was imposed by reason of physical or mental illness or infirmity, or for use of or addiction to intoxicants or drugs.

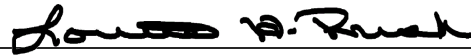
Admis. Disc. R. 23(18)(b)(3).

This Court, being duly advised, finds that the recommendation of the hearing officer should be accepted, but that Petitioner's reinstatement should be conditional upon the payment of restitution Petitioner admits he owes to one of his aggrieved clients. (*See Tr.* at 129).

Accordingly, Petitioner shall be conditionally reinstated as a member of the bar of this State and placed on probation for a period of one year. During this time Petitioner shall make restitution in the amount of \$3,500 to the client aggrieved in Count 2 of this matter and then shall provide the Commission with a verified accounting and report of same. Upon expiration of the probationary period, Petitioner may submit a petition for release from probation provided he has fully complied with the terms of his probation, and the Commission may petition to revoke his probation if he has not fully complied with these terms.

IT IS THEREFORE ORDERED that the petition for reinstatement of Petitioner is hereby granted and that Petitioner is conditionally reinstated as a member of the bar of this State subject to the terms of probation stated above. Petitioner shall pay any costs owing under Admis. Disc. R. 23(21)(b). The hearing officer appointed in this case is discharged.

Done at Indianapolis, Indiana, on 9/27/2019.



Loretta H. Rush

Chief Justice of Indiana

All Justices concur.