

TO BE PUBLISHED

Supreme Court of Kentucky

2017-SC-000530-KB

DANNY PERKINS BUTLER
KBA MEMBER NO. 09930

MOVANT

V. IN SUPREME COURT

KENTUCKY BAR ASSOCIATION

RESPONDENT

OPINION AND ORDER

Pursuant to SCR 3.480(3), Movant, Danny Perkins Butler, moves this Court to permit him to resign from the practice of law under terms of permanent disbarment for his admitted violations of the Rules of Professional Conduct. The Kentucky Bar Association (KBA) has no objection to the negotiated discipline.

Finding this agreed upon disciplinary sanction to be appropriate under the facts of this case, we grant Movant's motion. Movant's KBA member number is 09930 and his bar roster address is 118 N. Main Street, P.O. Box 250, Greensburg, Kentucky 42743. Movant was admitted to the practice of law in the Commonwealth of Kentucky on September 1, 1973.

Movant states in his motion that he has been indicted in the Hardin Circuit Court for two offenses, Theft by Unlawful Taking over \$10,000.00, and Theft by Failure to Make Required Disposition over \$10,000.00. These charges arose as a result of misappropriating a client's funds for his own use. As a result, Movant was temporarily suspended from the practice of law on April 27, 2017.

Movant has had an extensive disciplinary history including four private admonitions and a private reprimand with conditions. And as previously noted, the KBA has no objection to the proposed discipline. In support, the KBA cites two cases in which a voluntary disbarment was imposed. *Sexton v. Kentucky Bar Association*, 253 S.W.3d 54 (Ky. 2008); and *Doan v. Kentucky Bar Association*, 276 S.W.3d 826 (Ky. 2009). The movant in *Sexton* voluntarily resigned and was permanently disbarred after he pled guilty to federal indictments. The same sanction was granted in *Doan* after the movant had already resigned under terms of disbarment in Ohio as a result of allegations raised in an Ohio civil suit.

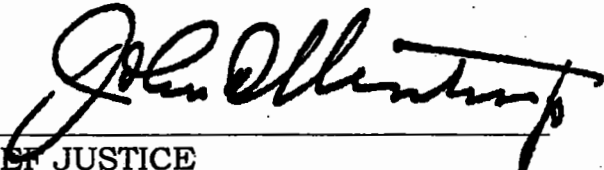
Accordingly, it is hereby ORDERED that:

1) Movant, Danny Perkins Butler, KBA Member No. 09930, is permanently disbarred from the practice of law in the Commonwealth of Kentucky, effective upon the date of entry of this order, pending further orders of this Court; and

2) Pursuant to SCR 3.450, Movant is directed to pay all costs associated with these disciplinary proceedings, effective upon the date of entry of this order, pending further orders of this Court.

All sitting. All concur.

ENTERED: December 14, 2017.



CHIEF JUSTICE