

Serial: **229300**

**IN THE SUPREME COURT OF MISSISSIPPI**

**No. 2019-BD-01094-SCT**

***THE MISSISSIPPI BAR***

**v.**

***TORRANCE J. COLVIN***

**ORDER OF DISBARMENT**

¶1. Before the Court, *en banc*, is the Mississippi Bar's formal complaint for reciprocal discipline against Torrance J. Colvin, who before July 19, 2018, was licensed to practice law in the District of Columbia and in Mississippi. The Mississippi Bar requests reciprocal discipline based on Colvin's disbarment in the District of Columbia on July 19, 2018. Colvin was disbarred by consent in the District of Columbia.

¶2. This is the second formal complaint. We dismissed the Bar's first formal complaint without prejudice due to improper service of process, and we ordered the Mississippi Bar to find Colvin and to effect service upon him in accordance with Mississippi Rule of Discipline 16. *En Banc* Order, **Miss. Bar v. Colvin**, No. 2018-BD-01104-SCT (Miss. April 12, 2019). The Mississippi Bar effected personal service on Colvin on August 12, 2019, under the Mississippi Rules of Civil Procedure as applied to the Rules of Discipline. *See* M.R.D. 8.3.

¶3. In a reciprocal discipline case, this Court's only task is to determine the appropriate discipline to be imposed on the attorney in Mississippi. M.R.D. 13. The Court considers the following nine criteria in making its determination:

(1) the nature of the misconduct involved; (2) the need to deter similar misconduct; (3) the preservation of the dignity and reputation of the profession; (4) protection of the public; (5) the sanctions imposed in similar cases; (6) the duty violated; (7) the lawyer's mental state; (8) the actual or potential injury resulting from the misconduct; and (9) the existence of aggravating and/or mitigating factors.

*Caldwell v. Miss. Bar*, 118 So. 3d 549, 553 (Miss. 2012) (quoting *Miss. Bar v. Hodges*, 949 So. 2d 683, 686 (Miss. 2006)). In a reciprocal discipline case, “the sanction imposed in this State generally mirrors the sanction imposed in the sister state, absent extraordinary circumstances which compel, justify or support variance from the foreign jurisdiction’s sanction.” *Miss. Bar v. Gilmer*, 949 So. 2d 689, 690 (Miss. 2006) (citing *Miss. Bar v. Drungole*, 913 So. 2d 963, 970 (Miss. 2005)). Since being personally served, Colvin has failed to respond, which reasonably demonstrates his intention not to contest an imposition of reciprocal discipline.

¶4. The Court finds that no extraordinary circumstances compel, justify, or support variance from the District of Columbia’s discipline. The Mississippi Bar’s complaint should be granted.

¶5. Also before the Court is the Mississippi Bar’s motion for reimbursement of actual costs and expenses incurred for filing and serving its complaint. Under Rule 25(a) of the Rules of Discipline for the Mississippi State Bar, “[this] Court may assess costs incurred in the investigation, prosecution and defense of any disciplinary matter as justice may require. Such costs and expenses shall include the actual and reasonably necessary expenses of the Bar . . . .” Colvin shall reimburse the Mississippi Bar for the actual costs and expenses of this proceeding.

¶6. IT IS THEREFORE ORDERED as follows:

1. Torrance J. Colvin is permanently disbarred from the practice of law in the State of Mississippi;

2. This order shall constitute notice of Colvin's permanent disbarment;

3. The Clerk of this Court shall forward an attested copy of this order to the executive director of the Mississippi Bar and shall transmit Colvin's copy to him by certified mail, return receipt requested;

4. The Clerk immediately shall forward an attested copy of this order to the Clerks of the United States District Court, Northern and Southern Districts of Mississippi, to the Clerk of the United States Court of Appeals for the Fifth Circuit, and to the Clerk of the Supreme Court of the United States;

5. The Clerk immediately shall forward attested copies of this order to the judges of the trial courts of the districts in which Colvin resided and practiced law, with instructions to spread a copy of this judgment upon the minutes of their respective courts;

6. Torrance J. Colvin shall, within thirty days following entry of this order, notify his clients and affected courts, if any, of his removal from the Mississippi Bar, properly disburse all funds he may hold in trust, and comply with all other requirements applicable under Rule 11 of the Rules of Discipline for the Mississippi State Bar;

7. Torrance J. Colvin shall, within forty-five days following the entry of this order, file an affidavit with the Court stating that all of his clients have been notified of his disbarment and consequent inability to practice law in Mississippi and that he has fully

complied with all applicable requirements set forth in Rule 11 of the Rules of Discipline for the Mississippi State Bar, as well as the requirements of this order;

8. Failure to comply with this order may be punished as contempt and may constitute a separate ground for disciplinary action;

9. Costs and expenses of this proceeding are assessed to Torrance J. Colvin.

SO ORDERED, this the 14th day of January, 2020.

/s/ James W. Kitchens

JAMES W. KITCHENS, PRESIDING JUSTICE  
FOR THE COURT