

People v. Byron L. Miller. 14PDJ002. May 8, 2014.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Byron L. Miller (Attorney Registration Number 35166) for one year and one day, with six months served and the remainder stayed pending completion of an eighteen-month period of probation, with conditions. The suspension took effect May 8, 2014.

On June 20, 2013, Miller pleaded guilty to third-degree assault, a class-one misdemeanor. The plea, which included a stipulation that the underlying conduct involved unlawful sexual behavior, arose out of an incident of nonconsensual sexual intercourse that occurred earlier in 2013. Miller received a two-year deferred judgment and sentence. He has complied with the terms of that deferred judgment and sentence, which include sex-specific evaluation and treatment, monitored abstinence from drugs and alcohol, attendance at Alcoholics Anonymous, and weekly group therapy. He also has closed his law practice.

Through his conduct, Miller violated Colo. RPC 8.4(b), which prohibits lawyers from committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects. He caused serious harm to the victim and caused significant injury to the legal profession by bringing disrepute to the bar.