

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2378 Disciplinary Docket No. 3
: :
Petitioner : Nos. 189 & 190 DB 2017
: :
v. : Attorney Registration No. 313375
: :
NATHAN DANIEL LYLE, : (Butler County)
: :
Respondent :

ORDER

PER CURIAM

AND NOW, this 25th day of October, 2018, upon consideration of the Report and Recommendations of the Disciplinary Board, Nathan Daniel Lyle is disbarred from the Bar of this Commonwealth, and he shall comply with all the provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola
As Of 10/25/2018

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL : No. 2378 DD3 (MS)
Petitioner : Nos. 189 & 190 DB 2017
v. : Attorney Registration No. 313375
NATHAN DANIEL LYLE :
Respondent : (Butler County)

REPORT AND RECOMMENDATIONS OF
THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES
OF THE SUPREME COURT OF PENNSYLVANIA:

Pursuant to Rule 208(d)(2)(iii) of the Pennsylvania Rules of Disciplinary Enforcement, the Disciplinary Board of the Supreme Court of Pennsylvania (“Board”) herewith submits its findings and recommendations to your Honorable Court with respect to the above-captioned Petition for Discipline.

I. HISTORY OF PROCEEDINGS

On December 6, 2017, Petitioner, Office of Disciplinary Counsel, filed two Petitions for Discipline against Respondent, Nathan Daniel Lyle, charging him with violations of the Rules of Professional Conduct (“RPC”) and Pennsylvania Rules of Disciplinary Enforcement (“Pa.R.D.E.”) arising out of two criminal convictions, the unauthorized practice of law, misrepresentations to a court, and failing to respond to Petitioner’s DB-7 Requests. By Board Order dated January 23, 2018, the Petitions were

consolidated for hearing. Respondent was personally served with the Petitions, but failed to file an Answer. Pursuant to Pa.R.D.E. 208(b)(3), the factual averments are deemed admitted.

Following a prehearing conference on February 22, 2018, a disciplinary hearing was held on March 21, 2018, before a District IV Hearing Committee. Respondent failed to appear at the prehearing conference and the disciplinary hearing. Petitioner offered Administrative Exhibits 1 through 8 and Petitioner's Exhibits 1 through 8, which were admitted into evidence. Petitioner did not call any witnesses.

Petitioner submitted a brief to the Hearing Committee on May 4, 2018, following which the Hearing Committee filed a Report on June 20, 2018, concluding that Respondent violated the rules as charged in the Petitions for Discipline and recommending that Respondent be disbarred.

The parties did not take exception to the Hearing Committee's Report and recommendation.

The Board adjudicated this matter at the meeting on July 20, 2018.

II. FINDINGS OF FACT

The Board makes the following findings:

1. Petitioner, whose principal office is situated at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, Pennsylvania 17106-2485, is invested, pursuant to Pa.R.D.E. 207, with the power and the duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Rules.

2. Respondent is Nathan Daniel Lyle, born in 1984 and admitted to practice law in the Commonwealth of Pennsylvania on August 13, 2012. Respondent's attorney registration address is 115 S. Washington Street, Butler PA 16001. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

3. Respondent is currently on administrative suspension and has no prior record of discipline.

Unauthorized Practice Of Law

4. By Order of the Supreme Court dated March 15, 2015, Respondent was administratively suspended for his failure to complete mandatory Continuing Legal Education. Administrative Exhibit ("Admin") 1; Petitioner's Exhibit ("PE") 1.

5. The Court Order directed Respondent to comply with the provisions of Pa.R.D.E. 217. Admin 1; PE 1.

6. Respondent's administrative suspension took effect on April 9, 2015, thirty days from the date of the March 10, 2015 Order. Admin 1; PE 1.

7. By letter dated March 10, 2015, from Attorney Registrar Suzanne Price, Respondent was notified of his administrative suspension, provided with a copy of the Supreme Court's Order, Forms DB-23(a), 24(a) and 25(a), Statement of Compliance, and the Standard Guidances for administratively suspended attorneys. Admin 1.

8. Ms. Price's March 10, 2015 letter was sent to Respondent by certified mail, return receipt requested to 115 S. Washington Street, Butler PA 16001, the address listed on Respondent's annual attorney registration form. Admin 1; PE 1.

9. The certified mailing was delivered to Respondent as addressed on March 12, 2015. Admin 1; PE 1.

10. On April 9, 2015, Respondent's administrative suspension took effect and he was prohibited from engaging in any form of law-related activity or the practice of law in the Commonwealth. Admin 1.

11. Respondent failed to file a statement of compliance within ten days of the effective date of the suspension, as directed by the March 12, 2015 Order. Admin 1.

12. Respondent failed to notify the courts and his clients that he could no longer engage in the practice of law, as directed by the March 12, 2015 Order. Admin 1.

The Byers Matter

13. Respondent entered his appearance as counsel for James Bryant Alonzo Byers, LSW (licensed social worker) on November 20, 2014, which was prior to the effective date of his administrative suspension. Admin. 1.

14. On May 22, 2015, Respondent telephoned T'rese Evancho, a staff attorney at the Pennsylvania Bureau of Professional and Occupational Affairs ("BPOA"), and left Ms. Evancho a voice mail message regarding Mr. Byers. Admin. 1.

15. Mr. Byers was awaiting disposition of criminal charges in the Butler County Jail. Admin. 1.

16. Because Mr. Byers was an LSW, his professional license could have been impacted by the pending criminal charges against him. Admin. 1.

17. Respondent explicitly identified himself to Ms. Evancho as counsel for Mr. Byers. Admin 1.

18. By follow-up email to Ms. Evancho, on that same day, May 22, 2015, Respondent further elaborated on his representation of Mr. Byers. Admin 1.

19. At the time of Respondent's communications with Ms. Evancho, he was administratively suspended and was prohibited from engaging in the practice of law and in any law-related activities. Admin 1.

20. Respondent never notified Ms. Evancho or the BPOA of his administrative suspension. Admin 1.

21. At the time he communicated with Ms. Evancho, Respondent had not yet complied with Pa.R.D.E. 217 by notifying his clients, specifically Mr. Byers, or by filing his Statement of Compliance, as directed by the Order of March 10, 2015. Admin 1.

22. On June 15, 2015, Respondent and Disciplinary Counsel spoke by telephone about Respondent's administrative suspension and the complaint Office of Disciplinary Cousens had received from the BPOA. Admin 1; PE 2.

23. Respondent:

a. Acknowledged that he had emailed and spoken with Ms. Evancho concerning his client, Mr. Byers;

b. Told Disciplinary Counsel that he knew he had been administratively suspended for non-compliance with Continuing Legal Education, but he was working toward completing the needed credit hours; and

c. Was told by Disciplinary Counsel that he was prohibited from engaging in the practice of law until he was returned to active status and if he worked as a legal assistant while suspended, he and his employer must comply with Rule 217, Pa.R.D.E.

Admin 1; PE 2.

24. On January 16, 2016, Respondent was personally served by Pennsylvania Constable Robert Geagan with Form DB-7 Request for Statement of Respondent's Position. Admin 1; PE 2; PE 4.

25. Respondent never answered the Form DB-7 Request. Admin 1.

The Smalich Matter

26. At the time of Respondent's administrative suspension, he was listed as counsel of record for Leeland M. Smalich in criminal matters then pending before the Court of Common Pleas of Westmoreland County. Admin 1; PE 6A, 6B, 6C, 6D.

27. Shortly after his administrative suspension took effect, Respondent communicated with David M. Bauer, Esquire, about Mr. Bauer taking on some of Respondent's cases. Admin 1.

28. Respondent told Mr. Bauer he was having scheduling problems with cases. He did not inform Mr. Bauer that he was administratively suspended. Admin 1.

29. Mr. Bauer agreed to review the cases, including those for Mr. Smalich. Admin 1.

30. Mr. Smalich's cases were based on his May 12, 2015 statutory appeal re-sentencings in Westmoreland County. Admin 1; PE 6A, 6B, 6C, 6D.

31. Mr. Bauer told Respondent that because he had a scheduled vacation and was not available:

- a. He could not represent Mr. Smalich on May 12, 2015; and
- b. He could not enter his appearance on behalf of Mr. Smalich.

Admin 1.

32. However, on May 8, 2015, an entry of appearance form and application for continuance were filed with the Court in Westmoreland County containing a signature purported to be that of Mr. Bauer. Admin 1; PE 6.

33. The documents were executed and filed by Respondent without the knowledge or authority of Mr. Bauer. Admin 1.

34. On May 11, 2015, Respondent appeared before President Judge Richard E. McCormick, Jr. of the Court of Common Pleas of Westmoreland County.

35. In court, Respondent held himself out as Attorney David Bauer and presented the motion in which he requested a continuance of the Smalich matters. Admin 1.

36. Respondent did not inform the court that he had been administratively suspended and was no longer permitted to represent Mr. Smalich or any client before the court. Admin 1.

37. On May 11, 2015, the Court granted the continuance and subsequently Mr. Bauer's appearance was entered as counsel for Mr. Smalich. Admin 1; PE 5A, 5B, 5C, 5D and 6.

38. On May 11, 2015, Mr. Bauer was not present in the Westmoreland County courtroom. Admin 1.

39. Mr. Bauer learned of the misrepresentation when a day or two later he received a telephone call from a woman who purported to be the girlfriend of Mr. Smalich, inquiring why Respondent was in court claiming to be Mr. Bauer when Mr. Bauer was supposedly not available. Admin 1.

40. At the time of the motion's presentment or any time thereafter, Respondent did not inform Mr. Smalich that he was administratively suspended and could no longer represent him. Admin 1.

41. On January 16, 2016, Respondent was personally served with Form DB-7 Request for Statement of Respondent's Position by Pennsylvania Constable Robert Geagan. Admin 1; PE 4.

42. Respondent has never answered the Form DB-7 Request. Admin 1.

The Butler County Criminal Conviction

43. On August 11, 2016, in the Court of Common Pleas of Butler County, Pennsylvania, a criminal information was filed charging Respondent with the following:

- a. Count 1, driving under the influence of alcohol or controlled substance, a misdemeanor (first offense), in violation of 75 Pa.C.S.A. §3802(a(1));

b. Count 2, driving under the influence of alcohol or controlled substance, highest rate of alcohol, a misdemeanor (first offense), in violation of 75 Pa.C.S.A. §3802(c);

c. Count 3, driving on right side of roadway, a summary offense, in violation of 75 Pa.C.S.A. 3301(a); and

d. Count 4, driving vehicle at safe speed, a summary offense, in violation of 75 Pa.C.S.A. §3361. Admin 2; PE 8.

44. On October 11, 2016, Respondent entered a pro se plea of guilty before Butler County Court of Common Pleas Judge Timothy McCune, who sentenced Respondent on Count 2 to intermediate punishment for a period of six months with the first fourteen days served on house arrest with electronic monitoring; drug and alcohol treatment during the period of house arrest; a fine of \$1,000; highway safety program school; 60 hours of community service; and costs and fees. Admin 2; PE 8.

45. All other counts as charged in the August 11, 2016 information were dismissed by the Court. Admin 2.

46. The Court's sentencing order was consecutive to any other sentences that had been issued prior to the October 11, 2016 sentencing. Admin 2; PE 8.

47. Respondent failed to report his criminal conviction to Office of Disciplinary Counsel as required by Pa.R.D.E. 214(a). Admin 2.

The Allegheny County Criminal Conviction

48. On April 28, 2016, in the Court of Common Pleas of Allegheny County, Pennsylvania, a criminal information was filed charging Respondent with the following:

a. Count 1, endangering the welfare of children, a misdemeanor of the first degree, in violation of 18 Pa.C.S.A. §4304(a)(1);

b. Count 2, driving under the influence of alcohol or controlled substance while having a minor under 18 years of age as an occupant, a misdemeanor of the first degree, in violation of 75 Pa.C.S.A. §§3802(a)(1), 3803(b)(5), 3804(a)(1), and (c.1)(1);

c. Count 4, general lighting requirement, a summary offense, in violation of 75 Pa.C.S.E. 4304(a). Admin 2; PE 7.

49. On February 9, 2017, Respondent, with counsel, entered a plea of guilty and was sentenced by Allegheny County Court of Common Pleas Judge Kevin Sasinoski on Count 2 to placement in a restrictive intermediate punishment program for a period of five days; probation for a period of six months; drug and alcohol evaluation; 100 hours of community service; and; costs and a \$1,000 fine. Count 1 was withdrawn, count 3 was merged with count 2 for sentencing, and on count 4, the Court issued no further penalty. Admin 2; PE 7.

50. The Court granted Respondent permission to serve his probation outside of Allegheny County and to have it transferred to and be supervised by, the Butler County Adult Probation office. Admin 2, PE 7.

51. Respondent failed to report his criminal conviction as required by Pa.R.D.E. 214(a).

Miscellaneous

52. On December 24, 2017, Respondent was personally served with two Petitions for Discipline. Admin 4.

53. By regular and certified mail, Respondent received notice of the prehearing conference scheduled for February 22, 2018 and the disciplinary hearing scheduled for March 21, 2018. Admin 6.

54. Respondent failed to appear at the prehearing conference on February 22, 2018. Following the conference, Petitioner forwarded PE 1 through 8 and Admin 1 through 8 to Respondent. Admin 9.

55. Respondent failed to appear at the disciplinary hearing on March 21, 2018. Respondent never communicated with disciplinary authorities at any time during the proceedings. N.T. 6-7.

III. CONCLUSIONS OF LAW

By his conduct as set forth above, Respondent violated the following Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement:

1. RPC 1.16(a)(1) – A lawyer shall not represent a client, or where representation has commenced, shall withdraw from the representation if the representation will result in violation of the Rules of Professional Conduct or other law.

2. RPC 3.3(a)(1) – A lawyer shall not knowingly make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.

3. RPC 3.3(d) – In an *ex parte* proceeding, a lawyer shall inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

4. RPC 5.5(a) – A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.

5. RPC 8.1(b) – A lawyer, in connection with a disciplinary matter, shall not fail to respond to a lawful demand for information from an admissions or disciplinary authority.

6. RPC 8.4(b) – It is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as lawyer in other respects.

7. RPC 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

8. Pa.R.D.E. 203(b)(1) – Conviction of a crime is grounds for discipline.

9. Pa.R.D.E. 203(b)(3) – Willful violation of any other provision of the Enforcement Rules is grounds for the imposition of discipline.

10. Pa.R.D.E. 203(b)(7) – Failure without good cause to respond to Disciplinary Counsel's request or supplemental request under Board Rule 87.7(b) for a statement of the respondent-attorney's position is grounds for discipline.

11. Pa.R.D.E. 214(a) – Failure to report a criminal conviction within 20 days to Office of Disciplinary Counsel.

12. Pa.R.D.E. 217(b) – Failure to promptly notify all clients who are involved in pending proceedings, and the attorney for each adverse party, of the transfer

to administrative suspension and the consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the transfer.

13. Pa.R.D.E. 217(c)(3) – Failure to promptly notify any other tribunal or court of the administrative suspension.

14. Pa.R.D.E. 217(e)(1) – Failure within ten days after the effective date of administrative suspension to file a verified statement.

15. Pa.R.D.E. 217(j)(4)(iv) and (j)(4)(vii) - Following transfer to administrative suspension, continuing to perform law-related services from an office that is not staffed by a supervising attorney on a full-time basis, and representing himself as a lawyer or person of similar status.

IV. DISCUSSION

Herein, the Board considers the matter of Respondent's unauthorized practice of law, misrepresentations to a court, two criminal convictions, and failure to respond to Petitioner's requests for information. Respondent failed to answer the consolidated Petitions for Discipline, resulting in those factual averments being deemed admitted, pursuant to Pa.R.D.E. 208(b)(3). As shown by the factual averments and by Petitioner's exhibits, Respondent engaged in flagrant misconduct. We conclude that Petitioner met its burden to prove Respondent's ethical misconduct by clear and satisfactory evidence. *Office of Disciplinary Counsel v. John Grigsby*, 425 A.2d 730 (Pa. 1981).

Having concluded that Respondent violated the rules, this matter is ripe for the determination of discipline. It is well-established that in evaluating professional discipline, each case must be decided individually on its own unique facts and

circumstances. ***Office of Disciplinary Counsel v. Robert Lucarini***, 427 A.2d 186 (Pa. 1983). In order to “strive for consistency so that similar misconduct is not punished in radically different ways,” ***Office of Disciplinary Counsel v Anthony Cappuccio***, 48 A.3d 1231, 1238 (Pa. 2012) (quoting ***Lucarini***, 473 A.2d at 190), the Board is guided by precedent for the purpose of measuring “the respondent’s conduct against other similar transgressions.” ***In re Anonymous No. 56 DB 94 (Linda Gertrude Roback)***, 28 Pa. D. & C. 4th 398 (1995). The Board is mindful when adjudicating each case that the primary purpose of the lawyer discipline system in Pennsylvania is to protect the public, preserve the integrity of the courts and deter unethical conduct. ***Office of Disciplinary Counsel v. Akim Czmus***, 889 A.2d 117 (Pa. 2005).

Respondent, admitted on August 13, 2012, was administratively suspended by Order of the Supreme Court of Pennsylvania dated March 10, 2015, due to his non-compliance with Pennsylvania Continuing Legal Education requirements. Respondent has been prohibited from engaging in the practice of law since April 9, 2015, the effective date of the administrative suspension Order. In accordance with the administrative suspension Order, Respondent was directed to fulfill certain requirements pursuant to Rule 217, Pa.R.D.E., including notifying his clients and the courts of his administrative suspension and filing a statement of compliance; however, Respondent failed to do so.

During the period of his administrative suspension, Respondent knowingly engaged in the unauthorized practice of law. In the Byers matter, Respondent communicated with staff counsel for the BPOA about his incarcerated client. Most egregiously, in the Smalich matter, Respondent knowingly misrepresented both his status and identity as an attorney to the Court of Common Pleas of Westmoreland County in a court proceeding on May 11, 2015. On that date, Respondent appeared for Motions’

Court on behalf of Mr. Smalich and misrepresented to President Judge Richard E. McCormick that he was Attorney David M. Bauer. Prior to May 11, 2015, Respondent had contacted Mr. Bauer regarding the possibility of Mr. Bauer taking some of Respondent's cases. Mr. Bauer made clear to Respondent that he was unable to enter his appearance and represent Mr. Smalich because of a scheduled vacation. Thereafter, Respondent appeared in court and falsely stated to the court that he was Mr. Bauer, and falsely forged Mr. Bauer's name on legal papers in order to obtain a continuance. These actions were taken without Mr. Bauer's knowledge.

Respondent's misconduct includes his conviction of criminal offenses in two counties. On October 11, 2016, in Butler County, Respondent was convicted of driving under the influence of alcohol or controlled substance, highest rate of alcohol. On February 9, 2017, in Allegheny County, Respondent was convicted of driving under the influence of alcohol or controlled substance while having a minor in the car. In both matters, Respondent failed to report his conduct to the Office of Disciplinary Counsel.

On January 16, 2016, Respondent was placed on notice of possible violations of the Rules of Professional Conduct and Rules of Disciplinary Enforcement by DB-7 Letters of Inquiry. Respondent's misconduct continued as he failed to respond to the letters, after which Petitioner filed the instant formal charges against Respondent.

Respondent's misconduct is aggravated by several factors. At no time did he attempt to comply with Rule 217, Pa.R.D.E, in regard to his administrative suspension, and he utterly failed to participate in the disciplinary process by failing to answer the Petitions for Discipline, failing to appear at the prehearing conference, failing to appear at the disciplinary hearing, and failing to demonstrate any remorse for his actions. On numerous occasions, the Board has concluded that failing to appear at a disciplinary

hearing and participate in the proceeding is an aggravating factor. **Office of Disciplinary Counsel v. Franchot A.S. Golub**, No. 162 DB 2016 (D. Bd. Rpt. 2/14/2018) (S. Ct. Order 4/24/2018); **Office of Disciplinary Counsel v. Keith Hall Barkley**, 144 DB 2016 (D. Bd. Rpt. 9/13/2017) (S. Ct. Order 11/14/2017). As the Board pointed out in **Office of Disciplinary Counsel v. Brian P. Raney**, 77 Pa. D. & C. 4th 112 (2005), “Respondent’s failure to appear at his disciplinary hearing to explain his motives for these actions also aggravates his misconduct. This demonstrates a lack of interest in defending his right to practice. It also stands as a lost opportunity for Respondent to express any feelings of remorse he may have had regarding his actions.” *Id.* at 116.

We find that there are no mitigating factors present in this matter. Although the instant misconduct is Respondent’s first involvement in the disciplinary system, it occurred less than three years after his admission to the bar; therefore, mitigation for lack of prior disciplinary record is not appropriate.

Respondent’s deception upon the judicial system is the most serious of his multiple disciplinary violations. He misrepresented himself as an attorney who was on active status and forged that attorney’s signature on legal papers. Respondent appeared in open court and obtained a continuance using that attorney’s name. Lying to a court has been viewed by the Supreme Court as “an egregious species of dishonesty.” **Office of Disciplinary Counsel v. Gregory Holston**, 619 A.2d 1054, 1056 (Pa. 1993). The Supreme Court has not hesitated to disbar an attorney where the attorney’s conduct demonstrates a disregard for the integrity of the judicial process, and has found that dishonesty on the part of an attorney establishes unfitness to continue practicing law. **Grigsby**, 425 A.2d at 733.

Viewed collectively, Respondent's very serious misconduct establishes that he is unfit to practice law. This matter is similar to the case of ***Office of Disciplinary Counsel v. John Francis Licari***, No. 111 DB 2011 (D. Bd. Rpt. 6/21/2012) S. Ct. Order 9/20//2012). Therein, the Court disbarred Mr. Licari because he engaged in the unauthorized practice of law, lied about his status to a court by impersonating another attorney, failed to comply with rules regulating attorney conduct, and failed to participate in the disciplinary process.

The Court imposed a suspension for a period of five years in the matter of ***Office of Disciplinary Counsel v. Ronald I. Kaplan***, No. 217 DB 2010 (D. Bd. Rpt. 1/24/2012) (S. Ct. Order 6/5/2012). Therein, Kaplan, while on suspended status, represented a former client before a master in a custody proceeding. The facts demonstrated that Kaplan was working as a paralegal when he was approached by the former client for representation. Kaplan initially told the former client that he was unable to represent him, but the client asked for help because he feared the consequence of appearing without representation. Kaplan agreed to do so without a fee. Kaplan forged the name of his employer, an active attorney, on the entry of appearance and identified himself to the master under the pseudonym "Ron Cohen." The Board noted that Kaplan's matter was limited to a single appearance on behalf of a person who was not only fully aware of Respondent's suspended status but also paid no money for Respondent's services. The Board recognized mitigating circumstances in that Kaplan participated in the disciplinary process by filing an Answer to the Petition, cooperating with Petitioner by stipulating to the violations and facts as alleged by Petitioner, and appearing at the disciplinary hearing. Upon consideration of these specific facts, the Board recommended a five-year period of suspension to the Court.

Disbarment is an extreme sanction which should be imposed only in the most egregious cases, as it represents a termination of the license to practice law without a promise of its restoration at any future time. ***Office of Disciplinary Counsel v. Harry Jackson***, 637 A.2d 615, 619 (Pa. 1994); ***Office of Disciplinary Counsel v. John Keller***, 506 A.2d 872, 874-875 (Pa. 1986). After close evaluation of the decisional law, we conclude that Respondent's violation of the administrative suspension order, deceitful conduct to the court, criminal convictions, and failure to respond to Petitioner's requests for information, aggravated by his failure to participate in the disciplinary process, weigh in favor of disbarment as the most appropriate sanction to protect the public and maintain the integrity of the court and the legal profession.

V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Respondent, Nathan Daniel Lyle, be Disbarred from the practice of law in this Commonwealth.

It is further recommended that the expenses incurred in the investigation and prosecution of this matter are to be paid by the Respondent.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

By: Tracey McCants Lewis
Tracey McCants Lewis, Member

Date: 8/3/18