

SUPREME COURT OF ARKANSAS

No. D-14-415

STARK LIGON, AS EXECUTIVE
DIRECTOR OF THE SUPREME
COURT COMMITTEE ON
PROFESSIONAL CONDUCT

PETITIONER

V.

KENNETH ALAN HARPER, ARKANSAS
BAR NO. 89022

RESPONDENT

Opinion Delivered: May 4, 2017

MOTION FOR ORDER OF
DEFAULT JUDGMENT OF
DISBARMENT

GRANTED.**PER CURIAM**

Petitioner Stark Ligon, as Executive Director of the Arkansas Supreme Court Committee on Professional Conduct, has filed a motion for an order of default judgment on the petition of disbarment of respondent Kenneth Alan Harper, Arkansas Bar Number 89022. We grant the motion.

On May 9, 2014, the Office of Professional Conduct filed a petition for disbarment against Harper, and a summons was issued. Harper was personally served with the petition and summons on May 21, 2014. He failed to answer the petition within thirty days, and a motion for default judgment was filed on June 26, 2014. Harper tendered an untimely answer on July 9, 2014. On July 31, 2014, we appointed the Honorable John Cole to serve as a special judge to hear the matter and provide the court with findings of fact, conclusions

of law, and a recommendation of an appropriate sanction. *Ligon v. Harper*, 2014 Ark. 331 (per curiam).

Pursuant to Arkansas Rule of Civil Procedure 55(a) (2016), Judge Cole entered an order of default judgment against Harper on October 19, 2016, finding the allegations in the petition for disbarment to be admitted. Harper was given notice of a November 10, 2016 hearing on sanctions to be imposed; however, he failed to appear at the hearing. Based on the evidence of serious misconduct presented at the hearing, Judge Cole filed findings of fact and conclusions of law with this court on February 17, 2017, recommending a sanction of disbarment. On February 21, 2017, the clerk of this court issued a briefing schedule to the parties pursuant to section 13 of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law. The briefing schedule directed that Harper, as the respondent, file his brief by April 2, 2017. Harper failed to submit a brief by April 2, 2017, and no request for an extension of time has been filed.

Because Harper's failure to file an abstract and brief leaves this court with nothing to review with regard to Judge Cole's findings, we grant petitioner's request for a final order disbaring Harper. *In re Brown*, 369 Ark. App'x 566, 252 S.W.3d 137 (2007). His name shall be removed from the registry of attorneys licensed by the State of Arkansas, and he is barred and enjoined from engaging in the practice of law in this state.

It is so ordered.