

The Supreme Court of the State of Louisiana

IN RE: MARY HOLLY HAMMETT

No. 2023-B-00222

IN RE: Office of Disciplinary Counsel - Applicant Other; Notice of Discipline in
Another Jurisdiction Pursuant to Rule XIX, Section 21 and Motion to Initiate
Reciprocal Discipline Proceedings;

April 25, 2023

Reciprocal discipline imposed. See per curiam.

JLW

JDH

SJC

JTG

WJC

JBM

PDG

Supreme Court of Louisiana

April 25, 2023



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

NO. 2023-B-0222

IN RE: MARY HOLLY HAMMETT

ATTORNEY DISCIPLINARY PROCEEDING

PER CURIAM

This matter arises from a Petition to Initiate Reciprocal Discipline Proceedings filed by the Office of Disciplinary Counsel (“ODC”) against respondent, Mary Holly Hammett, an attorney licensed to practice law in Louisiana and Mississippi, based upon discipline imposed by the Supreme Court of Mississippi.

UNDERLYING FACTS AND PROCEDURAL HISTORY

In 2021, respondent was hired to represent the mother of a minor in a child custody proceeding in the Chancery Court of Lamar County, Mississippi. Attorney Erik Shawn Lowery served as opposing counsel. Chancellor Deborah Gambrell, who presided over the case, ruled against respondent’s client in the custody proceeding. However, the ruling was reversed on appeal. The Supreme Court of Mississippi granted certiorari to consider the case, but later withdrew the writ that was granted.

Before a mandate was issued by the Supreme Court of Mississippi, respondent advised her client to withdraw the child that was the subject of the custody proceeding from the school where she was enrolled and enroll her in another school district. After the mandate was issued, Mr. Lowery scheduled another hearing in the matter with Judge Gambrell. Although she never formally withdrew from the case,

respondent refused to attend the hearing, and she undertook no action in furtherance of the representation of her client following the issuance of the mandate.

During the course of the proceedings following the issuance of the mandate, respondent sent emails making disparaging remarks about Chancellor Gambrell.¹ She also threatened to file, and ultimately did file, a complaint against Chancellor Gambrell with the Mississippi Commission on Judicial Performance, all in an effort to have Chancellor Gambrell recuse herself from the case.² Due to the statements made concerning her by respondent, Chancellor Gambrell recused herself from the case.

In 2022, Mr. Lowery filed a disciplinary complaint against respondent. Respondent refused to cooperate with the Mississippi Bar in the investigation of the complaint.

On December 28, 2022, the Supreme Court of Mississippi ordered that respondent be suspended from the practice of law in Mississippi for one year for the following violations of the Mississippi Rules of Professional Conduct: Rules 3.5(a) (a lawyer shall not seek to influence a judge, juror, prospective juror or other official by means prohibited by law), 3.5(d) (a lawyer shall not engage in conduct intended to disrupt a tribunal), 8.1(b) (a lawyer shall not knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority), 8.2(a) (a lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicating officer or public legal officer, or of a candidate for election or appointment to judicial or legal office), 8.4(a) (a lawyer shall not violate or attempt

¹ Respondent referred to Chancellor Gambrell as “a mass murderer,” “Hurricane Deborah,” and “Dishonorable Deborah Gambrell.”

² The complaint was dismissed by the Commission.

to violate the Rules of Professional Conduct), and 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

After receiving notice of the Mississippi order of discipline, the ODC filed a motion to initiate reciprocal discipline proceedings in Louisiana, pursuant to Supreme Court Rule XIX, § 21. A certified copy of the decision issued by the Supreme Court of Mississippi was attached to the motion. On February 13, 2023, this court rendered an order giving respondent thirty days to demonstrate why the imposition of identical discipline in this state would be unwarranted. Respondent failed to file any response in this court.

DISCUSSION

The standard for imposition of discipline on a reciprocal basis is set forth in Supreme Court Rule XIX, § 21(D). That rule provides:

Discipline to be Imposed. Upon the expiration of thirty days from service of the notice pursuant to the provisions of paragraph B, this court shall impose the identical discipline ... unless disciplinary counsel or the lawyer demonstrates, or this court finds that it clearly appears upon the face of the record from which the discipline is predicated, that:

- (1) The procedure was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or
- (2) Based on the record created by the jurisdiction that imposed the discipline, there was such infirmity of proof establishing the misconduct as to give rise to the clear conviction that the court could not, consistent with its duty, accept as final the conclusion on that subject; or
- (3) The imposition of the same discipline by the court would result in grave injustice or be offensive to the public policy of the jurisdiction; or
- (4) The misconduct established warrants substantially different discipline in this state; ...

If this court determines that any of those elements exists, this court shall enter such other order as it deems appropriate. The burden is on the party seeking different

discipline in this jurisdiction to demonstrate that the imposition of the same discipline is not appropriate.

In the instant case, respondent has made no showing of infirmities in the Mississippi proceeding, nor do we discern any from our review of the record. Furthermore, we feel there is no reason to deviate from the sanction imposed in Mississippi, as only under **extraordinary circumstances** should there be a significant variance from the sanction imposed by the other jurisdiction. *In re: Aulston*, 05-1546 (La. 1/13/06), 918 So. 2d 461. *See also In re Zdravkovich*, 831 A. 2d 964, 968-69 (D.C. 2003) (“there is merit in according deference, for its own sake, to the actions of other jurisdictions with respect to the attorneys over whom we share supervisory authority”).

Under these circumstances, it is appropriate to defer to the Mississippi judgment imposing discipline upon respondent. Accordingly, we will impose reciprocal discipline in the form of a one-year suspension from the practice of law.

DECREE

Considering the Petition to Initiate Reciprocal Discipline Proceedings filed by the Office of Disciplinary Counsel and the record filed herein, it is ordered that respondent, Mary Holly Hammett, Louisiana Bar Roll number 23769, be and she hereby is suspended from the practice of law for one year.