



STATE ex rel. OKLAHOMA BAR ASSOCIATION v. FRYAR

2025 OK 11

Case Number: SCBD-7713; Cons. w/7723

Decided: 02/10/2025

THE SUPREME COURT OF THE STATE OF OKLAHOMA

Cite as: 2025 OK 11, __ P.3d __

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IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA ex rel. OKLAHOMA BAR ASSOCIATION, Complainant,

v.

ANDREA BETH FRYAR, A/K/A ANDREA BETH BENNETT Respondent.

ORDER APPROVING RESIGNATION FROM THE OKLAHOMA BAR ASSOCIATION PENDING DISCIPLINARY PROCEEDINGS

¶1 Pursuant to Rule 8 (Resignation Pending Disciplinary Proceedings), Oklahoma Rules Governing Disciplinary Proceedings (RGDP), 5 O.S.2011, ch. 1, app. 1-A, Respondent submitted an affidavit, filed December 10, 2024, seeking to resign her membership in the Oklahoma Bar Association (OBA) and relinquish her right to practice law pending disciplinary proceedings. On the same date, Complainant filed an application to this Court for an order approving the resignation of Respondent. Upon consideration of the matter, we find:

1. Respondent executed an affidavit on December 10, 2024, wherein she asks to be allowed to resign her membership in the OBA and relinquish her right to practice law. Although she is aware her resignation is subject to the approval of this Court within its discretion, she intends it to be effective from the date of its execution and represents that she will conduct her affairs accordingly.

2. Respondent's resignation was freely and voluntarily tendered, she was not subject to coercion or duress, and she was aware of the consequences of submitting her resignation.

3. Respondent is aware that formal charges have been filed against her pursuant to Rule 6 in SCBD 7723 (consolidated with 7713), alleging three counts of violations of the Oklahoma Rules of Professional Conduct and Rules Governing Disciplinary Proceedings. The complaint in SCBD 7723 was filed July 29, 2024 and stated the specific allegations against Respondent. Respondent acknowledged that she received and was served a copy of the complaint.

4. Respondent is aware that, if proven, the allegations concerning her conduct would constitute violations of Rule 8.4 (b) of the Oklahoma Rules of Professional Conduct (ORPC), 5 O.S.2011, ch. 1, app. 3-A, and RGDP 1.3, and her oath as an attorney. Respondent waives any and all rights to contest the allegations in a bar disciplinary proceeding.

5. Respondent is aware that formal charges have been filed against her pursuant to Rule 7 in SCBD 7713, concerning her criminal convictions in Cleveland County case No. CF-2022-40. The Notice of Judgment and Sentence was filed in SCBD 7713 on July 25, 2024. Respondent acknowledges that her criminal convictions as provided in the Judgment and Sentence would constitute, at a minimum, violations of ORPC 8.4(b) and RGDP 1.3, and her oath of attorney.

6. Respondent's Oklahoma Bar Association Number is 32779 and she was admitted to membership in the OBA on September 20, 2016. Respondent's official roster address is: 6418 Lyrewood Terrace, Oklahoma City, Oklahoma 73132. Respondent's current mailing address is: 1740 NW 37th Street, Oklahoma City, Oklahoma 73118.

7. Respondent's current OBA membership status is "suspended" by the June 10, 2024 Orders of this Court in SCBD 7678 (for failure to pay dues for the year of 2024) and SCBD 7679 (for failure to comply with the mandatory continuing legal education requirements for the year 2023) and by the July 31, 2024 Order of Immediate Interim Suspension in SCBD 7713 regarding the Rule 7 matter.

8. Respondent has familiarized herself with the provisions of RGDP 9.1, and has agreed to comply with the provisions of such Rule within twenty days following the date of her affidavit of resignation.

9. Respondent acknowledges and agrees she may be reinstated to practice law only upon full compliance with the conditions and procedures prescribed by RGDP 11, and that she may make no application for reinstatement to the practice of law prior to the expiration of five years from the effective date of the Order approving her Resignation Pending Disciplinary Proceedings.

10. Respondent acknowledges that as a result of her conduct, the Client Security Fund may receive claims from her former clients and agrees that should the Oklahoma Bar Association approve and pay such claims, she will reimburse the Client Security Fund the principal amounts and the applicable statutory interest prior to the filing of any application for reinstatement.

11. Respondent affirms she will tender her Oklahoma Bar Association membership card to the Office of the General Counsel or destroy it.

12. Respondent acknowledges and agrees she is to cooperate with the Office of the General Counsel in identifying any active client cases wherein documents and files need to be returned to the client or forwarded to new counsel, and any fees or refunds owed by her to clients.

13. Respondent acknowledges that the OBA may have incurred costs in the investigation of this matter and that the OBA has agreed to waive same.

14. The resignation pending disciplinary proceedings of Respondent is in compliance with RGDP 8.1.

¶2 IT IS ORDERED that Complainant's application for an Order approving the resignation pending disciplinary proceedings of Respondent, Andrea Beth Bennett, A/K/A Andrea Beth Fryar, is granted, Respondent's resignation is accepted and approved, and her right to practice law is relinquished.

¶3 IT IS FURTHER ORDERED that Respondent's name, Andrea Beth Bennett, A/K/A Andrea Beth Fryar, be stricken from the Roll of Attorneys and that she may not apply for reinstatement to membership in the Oklahoma Bar Association prior to the expiration of five years from the effective date of this order.

¶4 IT IS FURTHER ORDERED that Respondent shall comply with Rule 9.1, of the Rules Governing Disciplinary Proceedings.

DONE BY ORDER OF THE SUPREME COURT IN CONFERENCE the 10th day of February, 2025.

/S/CHIEF JUSTICE

Rowe, C.J., Kuehn, V.C.J., Winchester, Edmondson, Combs, Gurich, Darby and Kane, JJ., concur

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