

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

In the Matter of the Discipline	)	JUDGMENT OF DISBARMENT
of BRIAN J. DONAHOE, as an	)	
Attorney at Law.	)	#30246
	)	
	)	

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The Disciplinary Board of the State Bar of South Dakota served and filed on February 8, 2023 a petition for suspension pending final hearing. The Board filed and served a supplement to the petition on February 13, 2023. Respondent Brian J. Donahoe served and filed on March 28, 2023, a response to the petition and supplemented petition. The Board served and filed a request to hold the petition for temporary suspension in abeyance on April 6, 2023. The Court by order of April 14, 2023, issued its order of abeyance and required the Board to serve and file a status report of the matter no later than June 13, 2023.

On May 12, 2023, the Board served and filed a supplemental and renewed petition for temporary suspension. The Court issued its order of temporary suspension on June 6, 2023.

On June 8, 2023, the Board filed a petition and consent to transfer to medical inactive status. By Court order of August 10, 2023, Respondent was transferred to medical inactive status and was temporarily suspended from the practice of law.

On February 10, 2025, the Board and Respondent jointly moved the Court for an order authorizing the Board to resume its disciplinary investigation. On March 4, 2025, the Court entered an order authorizing the Board to resume its investigation.

The Board prepared a report of its findings of fact, conclusions of law and recommendation that was served and filed on

#20246, Judgment

May 8, 2025. Respondent served and filed a denial on May 27, 2025. The Court appointed a referee to hear testimony and submit findings of fact, conclusions of law and a recommendation to the Court on June 17, 2025. On July 10, 2025, a hearing before the referee was noticed for October 22, 2025.

On October 22, 2025, the Board filed with the Court a resignation executed by Respondent on October 8, 2025, attached hereto, consenting to disbarment pursuant to the provisions of SDCL 16-19-65, now, therefore, in compliance with the provisions of SDCL 16-19-66, it is

ORDERED that Brian J. Donahoe is disbarred from practicing as an attorney and counselor at law in all of the courts of this state, and the license to practice law granted by this Court to said attorney is canceled and revoked and the Supreme Court Clerk is authorized and directed to strike the name of Brian J. Donahoe from the roll of licensed attorneys and counselors at law on file in the office of the Clerk.

IT IS FURTHER ORDERED that Respondent shall comply with the provisions of SDCL 16-19-77 through 16-19-81 and that noncompliance shall constitute contempt pursuant to SDCL 16-19-82.

IT IS FURTHER ORDERED that pursuant to SDCL 16-19-77, the disbarment of Respondent shall become effective as of the date of this judgment.

IT IS FURTHER ORDERED that the Supreme Court Clerk shall forward a copy of this judgment of disbarment to all state and federal judges in South Dakota, all other courts and state bar associations Respondent is authorized to practice within, and to the American Bar Association National Lawyer Regulatory Data Bank.

IT IS FURTHER ORDERED that pursuant to SDCL 16-19-70.2 and 16-19-70.3 that Brian J. Donahoe shall on or before January 20, 2026 pay to the State Bar of South Dakota \$11,428.12 as reimbursement of its itemized costs and expenses for these proceedings allowed under

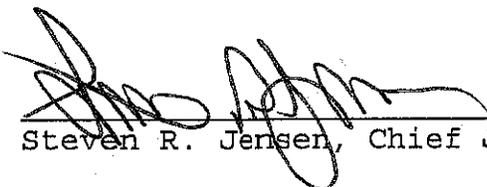
SDCL 16-19-70.2, proof of said payment to be filed with the Clerk of this Court on or before February 20, 2026.

DATED at Pierre, South Dakota, this 19th day of December, 2025.

BY THE COURT:

ATTEST:

  
\_\_\_\_\_  
Clerk of the Supreme Court  
(SEAL)

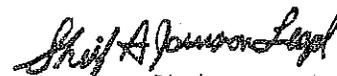
  
\_\_\_\_\_  
Steven R. Jensen, Chief Justice

Justice Mark E. Salter disqualified.

PARTICIPATING: Chief Justice Steven R. Jensen and Justices Patricia J. DeVaney, Scott P. Myren, and Retired Justice Janine M. Kern.

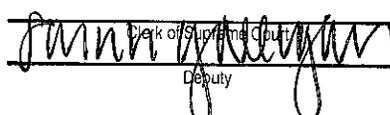
SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

DEC 19 2025

  
Clerk

STATE OF SOUTH DAKOTA  
In the Supreme Court  
I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, SD, this

19 day of Dec, 2025

  
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Deputy