

**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY THE SUPREME COURT OF TEXAS**

IN THE MATTER OF	§	
ASHLEY MARIE NICHOLS	§	CAUSE NO. 73798
STATE BAR CARD NO. 24044720	§	

AGREED JUDGMENT OF SUSPENSION

On this day the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. The Commission for Lawyer Discipline (“the Commission”) and Respondent, Ashley Marie Nichols, appeared in person as indicated by their respective signatures below and announced that they agree to the findings of fact, conclusions of law, and orders set forth below solely for the purposes of this proceeding which has not been fully adjudicated. Respondent waives any and all defenses that could be asserted under Rule 9.04 of the Texas Rules of Disciplinary Procedure. The Board of Disciplinary Appeals, having reviewed the file and in consideration of the agreement of the parties, is of the opinion that the Commission is entitled to entry of the following findings, conclusions, and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, Ashley Marie Nichols, State Bar Card No. 24044720, is an attorney licensed and authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about January 26, 2026, a Stipulation to Discipline Pursuant to C.R.C.P. 242.19 was entered in Case Number 26PDJ5, an Original Proceeding in Discipline before the Presiding Disciplinary Judge, styled: *The People of the State of Colorado, Respondent v Ashley M. Nichols, (A.K.A. Ashley Geyer) #39120*; in Supreme Court, State of Colorado, which states in pertinent part as follows:

On this 26th day of January, 2026, Jacob M. Vos, First Assistant Regulation Counsel and attorney for the complainant, and Ashley M. Nichols, the Respondent in these proceedings, enter into the following Stipulation to Discipline pursuant to C.R.C.P. 242.19

("Stipulation") and submit the same to the Presiding Disciplinary Judge for his consideration.

RECOMMENDATION: a 30-month served suspension.

1. The Respondent has taken and subscribed to the oath of admission, was admitted to the bar of this Court on October 22, 2007, and is registered as an attorney upon the official records of this Court, registration no. 39120. Respondent is subject to the jurisdiction of this Court and the Presiding Disciplinary Judge in these proceedings.

2. Respondent enters into this Stipulation freely and voluntarily. It is Respondent's personal decision, and Respondent affirms there has been no coercion or other intimidating acts by any person or agency concerning this matter.

3. This matter has not become public under the operation of C.R.C.P. 242.41 as amended. However, Respondent specifically acknowledges that, if the Presiding Disciplinary Judge should decide to accept this Stipulation, and impose the agreed-to discipline contained herein, then this Stipulation and the discipline imposed will be matters of public record. *See* C.R.C.P. 242.41(a)(2).

4. Respondent is familiar with the rules of the Colorado Supreme Court regarding the procedure for discipline of attorneys and with the rights provided by those rules. Respondent acknowledges the right to a full and complete evidentiary hearing on the above-referenced complaint. At any such hearing, Respondent would have the right to be represented by counsel, present evidence, call witnesses, and cross-examine the witnesses presented by Complainant. At any such formal hearing, Complainant would have the burden of proof and would be required to prove the charges contained in the complaint with clear and convincing evidence. Nonetheless, having full knowledge of the right to such a formal hearing, Respondent waives that right.

5. Respondent and Complainant specifically waive the right to a hearing pursuant to C.R.C.P. 242.30.

6. Respondent and Complainant stipulate to the following facts and conclusions:

a. Debra Oppenheimer is a partner in the litigation practice of Altitude Community Law ("Altitude"), a law firm that specializes in representing community associations such as

Homeowners' Associations. She learned of Respondent's potential misconduct below after some Associations contacted her about their matters.

b. On August 14, 2024, Respondent filed a Complaint on behalf of Plaintiff, in case number 24C42601: SPRING LANE OWNERS ASSOCIATION, INC., Plaintiff v. KEVIN TYLER RAMAGLI AND ANNA NICOLE RAMAGLI, Defendants, in El Paso County, State of Colorado. This was a complaint for the recovery of monthly assessments as well as added attorney's fees and court costs for a total recovery of \$3,184.96. No further action was taken, and the file was closed by the court on October 16, 2024.

c. Mr. Ramagli, the defendant in that matter, called Respondent numerous times with no return call. He was attempting to find the amount to pay. He has since paid the account in full.

d. On July 15, 2024, Respondent filed a "Complaint for Foreclosure Pursuant to C.R.C.P. 105," in case number 24CV31302: SPRING LANE OWNERS ASSOCIATION, INC., Plaintiff v. NATHAN L. SIMMONS-TIFFANY, JR.; COLORADO HOUSING AND FINANCE AUTHORITY; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; MV REALTY OF COLORADO, LLC; SECRETARY OF HOUSING AND URBAN DEVELOPMENT; AND CHUCK BROERMAN, AS PUBLIC TRUSTEE OF EL PASO COUNTY, COLORADO, Defendants, in El Paso County, State of Colorado.

e. On September 18, 2024, the court entered default against Defendant Nathan L. Simmons-Tiffany, Jr.

f. On October 31, 2024, the court ordered the parties to file a status report:

The parties are to file a status report in this case within 35 days of the date of this Order. Plaintiff's status report is to address a plan of proceeding in the case. The parties are also to address whether the Clerk's Default entered in this case was properly entered. A review of the file suggests that a response to the Complaint by Defendant Simmons-Tiffany may have been filed prior to the Motion's assertion that none had been filed. Failure to comply with this Order may result in dismissal of the action or other analogous ruling against the party that fails to comply.

- g. On December 16, 2024, the Court entered a Minute Order:

12/02/24 E-MAIL SENT TO PTF COUNSEL RE;
SETTING A STATUS CONF 12/16/24 - CLERK CALLS
AND LEAVES VOICE MAIL RE STATUS CONF /DDZ

- h. On December 19, 2024, the court entered the following "Order Setting Initial Case Management Conference:"

Plaintiff has sought entry of a clerk's default against Defendant Simmons-Tiffany. However, Defendant Simmons-Tiffany has filed appearances in the case and expressed difficulty communicating with Plaintiff's counsel. As a result, the division clerk attempted to contact the parties to schedule a status conference. The division clerk has not received responses. This matter is set for initial case management conference on January 27, 2025, at 10:00 a.m. in Division 2. The conference will require in-person appearances. Failure to attend may result in the case being dismissed for failure to pursue with due diligence or entry of a finding of default. Defendant CHFA is excused from attendance in light of the stipulation entered.

- i. On January 27, 2025, the court entered the following "Order of Dismissal:"

This matter came before the Court for case management conference today pursuant to an Order issued on December 19, 2024. This case has experienced difficulties in communicating with Plaintiff as noted in that Order. For this reason, the Court set the date of the conference and directed in person attendance of parties (or their counsel), warning that a failure to appear may result in judgment entering against the non-attending party. Plaintiff failed to appear and had failed to appear by the time the Court recessed 40 minutes after the scheduled conference. Defendant Simmons appeared and asked the Court to dismiss the case with prejudice. The Court found the arguments made by Defendant Simmons on the record to be persuasive and grants his request that the case be dismissed and that the dismissal be with prejudice as to the claims for relief asserted by Plaintiff.

- j. Altitude entered an appearance in case number 24CV31302 on Spring Lane's behalf and filed a motion to set aside the

dismissal. Emails sent to Respondent about the case bounced back as undeliverable. When reviewing the court file, Altitude attorneys noted Respondent failed to open notifications from the court dated August 27, 2024, September 18, 2024, October 31, 2024, and December 19, 2024. Respondent failed to appear at the Case Management Conference on January 27, 2025. The client advised Altitude that telephone calls to Respondent were not accepted at her office number and there was no voicemail option for leaving a message. Ultimately, the court denied Altitude's motion to set aside the dismissal and dismissed the case with prejudice. The defendant is now on a payment plan, but in the event she stops paying on the payment plan, Spring Lane is precluded from filing another action in light of the dismissal with prejudice.

k. On September 22, 2022, Respondent filed a Complaint on behalf of Plaintiff in case number 22C41096: THE BLUFFS AT RED DEER TOWNHOMES ASSOCIATION, INC., Plaintiff v. EDWARD ALLAN ACREE AND RYAN LEIGH FORTUNE, Defendants, in El Paso County, State of Colorado. This was a complaint for the recovery of monthly assessments as well as added attorney's fees and court costs for a total recovery of \$2,471.50.

l. On October 20, 2022, Respondent filed a "Stipulation for Entry of Judgment Upon Default." The Defendants agreed to a payment plan regarding the amounts due. The payments were to be made through Cornerstone, Respondent's firm.

m. On October 26, 2022, the Stipulation was made an order of the court.

n. The Defendants advised the Association they made every payment, but a number of payments were not forwarded to the Association. Out of 12 checks paid from the Defendants to the Association, five were received by the Association and seven were never received by the Association despite being negotiated through the homeowner's bank account. Respondent processed checks through her COLTAF account and remitted payments to the Association from February 13, 2023, through February 5, 2024. But then, from March 1, 2024, through August 30, 2024, the checks from the homeowner were processed into Respondent's COLTAF account but they were not remitted to the Association, nor were they credited to the homeowner's account. In total, the homeowners paid Respondent \$3,509.30, but Respondent only remitted \$1,617.20 to the HOA, leaving a

balance due of \$1,892.10.

o. Respondent's bank records reflect that the Acree funds were deposited into her COLTAF account. She transferred the first set of payments to the Association, but retained the checks from March 2024 to September 2024. Respondent's COLTAF account statements reflect money moving through the account on a monthly basis through September 2024, but after November 25, 2024, her COLTAF account no longer contained a high enough balance to cover the \$1,892.10 she owed the HOA.

p. Respondent ultimately liquidated her COLTAF account and did not maintain sufficient funds in her personal account to cover the missing funds. However, in early December, 2025, Respondent remitted the missing \$1,892.10 to Red Deer.

q. Respondent reports that during most of the events at issue, she was involved in an abusive relationship. She ultimately lost access to her email account and was concerned about unauthorized access to her trust account. She is remorseful for her actions and takes responsibility for her misconduct.

r. Through Respondent's conduct described above, Respondent has engaged in conduct constituting grounds for the imposition of discipline pursuant to C.R.C.P. 242.9. Respondent has also violated Colo. RPC 1.3 (diligence); 1.4(b) (communication); 1.16(a) (withdrawal); 1.15A(a) (failure to safeguard client funds); 8.4(c) (knowing conversion); and 8.4(d) (conduct prejudicial to the administration of justice).

7. Pursuant to C.R.C.P. 242.19(b)(4), Respondent agrees to pay costs in the amount of \$224.00 (a copy of the statement of costs is attached as Exhibit 1) incurred in conjunction with this matter within thirty-five (35) days after acceptance of the Stipulation by the Presiding Disciplinary Judge, made payable to Colorado Supreme Court Attorney Regulation Offices. Respondent agrees that statutory interest shall accrue from thirty-five (35) days after the Presiding Disciplinary Judge accepts this Stipulation. Should Respondent fail to make payment of the aforementioned costs within thirty-five (35) days, Respondent specifically agrees to be responsible for all additional costs and expenses, such as reasonable attorney fees and costs of collection incurred by Complainant in collecting the above stated amount. Complainant may amend the amount of the judgment for the additional costs and expenses by providing a motion and bill of costs to the Presiding Disciplinary

Judge, which identifies this paragraph of the Stipulation and Respondent's default on the payment.

8. This Stipulation represents a settlement and compromise of the specific claims and defenses pled by the parties, and it shall have no meaning or effect in any other lawyer regulation case involving another respondent attorney.

9. This Stipulation is premised and conditioned upon acceptance of the same by the Presiding Disciplinary Judge. If for any reason the Stipulation is not accepted without changes or modification, then the admissions, confessions, and Stipulations made by Respondent will be of no effect. Either party will have the opportunity to accept or reject any modification. If either party rejects the modification, then the parties shall be entitled to a full evidentiary hearing; and no confession, Stipulation, or other statement made by Respondent in conjunction with this offer to accept discipline of a 30-month suspension may be subsequently used. If the Stipulation is rejected, then the matter will be heard and considered pursuant to C.R.C.P. 242.30.

10. The Office of Attorney Regulation Counsel will notify the complaining witness in the matter of the disposition after the Court approves this agreement.

11. The parties have agreed that Respondent does not owe any restitution as a component of this stipulated resolution in light of her prior payment to Red Deer.

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RECOMMENDATION FOR AND CONSENT TO DISCIPLINE

Based on the foregoing, the parties hereto recommend that a 30-month suspension be imposed upon Respondent. Respondent consents to the imposition of discipline of a 30-month suspension. Respondent's Colorado law license is currently administratively suspended, and she is not currently engaged in the practice of law. The parties therefore request that the Presiding Disciplinary Judge order that the effective date of such discipline be immediate.

Ashley M. Nichols, Respondent, and Jacob M. Vos, attorney for the Complainant, acknowledge by signing this document that they have read and reviewed the above and request the Presiding Disciplinary Judge to accept the Stipulation as set forth above. Respondent

swears or affirms that the statements contained in this Stipulation are true and correct to the best of her knowledge, information, and belief.

- (3) The Stipulation to Discipline was entered January 26, 2026. Respondent was actively suspended for a period of thirty (30) months.
- (4) Respondent, Ashley Marie Nichols, is the same person as Ashley Marie Nichols, who is the subject of the Stipulation to Discipline entered by the Supreme Court of Colorado.
- (5) The Stipulation to Discipline entered by the Supreme Court of Colorado is final.

Conclusions of Law. Based upon the foregoing findings of facts, the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. TEX. RULES DISCIPLINARY P. R. 7.08(H).
- (2) Reciprocal discipline identical, to the extent practicable, to that imposed by the Supreme Court of Colorado is warranted in this case for Respondent's professional misconduct.
- (3) Respondent should be actively suspended from the practice of law for a period of thirty (30) months.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Ashley Marie Nichols, State Bar Card No. 24044720, is hereby **SUSPENDED** from the practice of law in Texas for a period of thirty (30) months beginning October 20, 2026, and extending through April 19, 2029.

It is further **ORDERED, ADJUGED, and DECREED** that Respondent, Ashley Marie Nichols, during said suspension, is prohibited from practicing law in Texas. Such includes holding herself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any court or before any administrative body in the state of Texas.

It is further **ORDERED** that Respondent, Ashley Marie Nichols, within thirty (30) days of

the signing of this judgment, shall notify each of her current clients and opposing counsel, if any, in writing, of this suspension. In addition to such notification, Respondent is **ORDERED** to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in her possession but which belong to current or former clients, if any, to those respective clients or former clients, or to another attorney designated by such client or former client, within thirty (30) days of the date of this judgment, if requested.

It is further **ORDERED** that Respondent shall file with the State Bar of Texas, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the date of this judgment, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property requested by any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of her inability to return to said client any file, paper, money or other property.

It is further **ORDERED** that Respondent, Ashley Marie Nichols, within thirty (30) days of the date of this judgment, shall notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer, and chief justice of each and every court, if any, in which Respondent, Ashley Marie Nichols, has any matter pending, of her suspension, of the style and cause number of the pending matter(s), and the name, address, and telephone number of the client(s) Respondent is representing. Respondent is also **ORDERED** to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent shall file with the State Bar of Texas, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the date of this judgment, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, administrative judge or officer, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address, and telephone number of the client(s) Respondent is representing in Court.

It is further **ORDERED** that, within thirty (30) days of the date of this judgment, Respondent shall surrender her law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

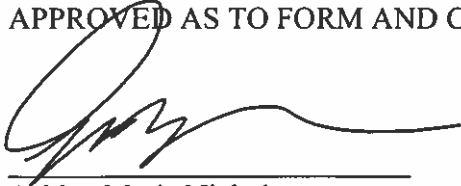
It is further **ORDERED** that this Agreed Judgment of Suspension shall be made a matter of public record and be published in the *Texas Bar Journal*.

Signed this 20th day of October 2026.

A handwritten signature in blue ink, reading "Courtney Semitz".

CHAIR PRESIDING

APPROVED AS TO FORM AND CONTENT:



Ashley Marie Nichols

Bar No. 24044720

Respondent



Ramiro Canales

Bar No. 24012377

Attorney for the Commission