

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE  
APPLICATION OF THE BOARD OF  
CONTINUING LEGAL EDUCATION TO  
CHANGE THE STATUS OF CERTAIN  
MEMBERS OF THE STATE BAR OF  
NEVADA FROM ACTIVE TO INACTIVE  
UNDER SUPREME COURT RULES  
205-215 INCLUSIVE, AND, AS TO  
CERTAIN INACTIVE AND  
SUSPENDED MEMBERS, TO  
CONDITION THEIR RIGHTS OF  
REINSTATEMENT.

No. 43912

**FILED**

SEP 02 2005

*[Signature]*  
DEPUTY CLERK

ORDER GRANTING PETITION

On September 10, 2004, the Board of Continuing Legal Education (the Board) filed a petition with this court regarding the status of certain members of the State Bar of Nevada (respondent attorneys) who failed to comply fully with the Supreme Court Rules governing continuing legal education. See SCR 205 – 215. Specifically, the Board petitioned this court to order those respondent attorneys who are presently active to show cause why their membership status should not be changed to inactive and, from the date of such change of status, be barred from practicing law in the State of Nevada until reinstated under SCR 213. Further, as to those respondent attorneys who are already inactive, disabled or suspended, to show cause why their rights of reinstatement to active status should not be conditioned upon full compliance with SCR 213, in addition to any conditions of reinstatement already imposed upon them.

On March 29, 2005, this court entered an order directing the following active attorneys to show cause why this court should not grant

the Board's petition to change their status from active to inactive and to condition their right to be reinstated upon full compliance with SCR 213: David E. Adkins, David E. Barker, Edward L. Blalock, Bart M. Blechschmidt, Judith H. Braecklein, Vicki L. Carlton, Eduardo P. Chacon, Douglas H. Clark, James R. Cox, Leslie E. Criswell, Sally C. DeWitt, Michael E. Eisner, Gerard A. Fierro, Thomas J. Fitzpatrick, Illyssa I. Fogel, Stacey M. Garrett, Harry R. Gensler, Brian D. Green, Mary P. Groesbeck, Dale E. Haley, Stephen D. Hampton,<sup>1</sup> Stephen J. Healey, Rulon J. Huntsman, George W. Johnson, Leah A. Kane, Francis Kocka, Steven A. McKinley, Uyen N. Nguyen, John H. Scarpino, Michael H. Schwarz, Timothy Sears, Gary M. Segal, Carl E. Sizemore, Gregory S. Skinner, J.E. Smith, Stephen S. Sprinkel, Mark L. Sturdivant, Christy M. Thompson, Scott N. Tisevich, Lauren M. Tran, Mark A. Wasser, Travis C. Williamson, and Gregory F. Wilson.<sup>2</sup>

That order also directed the following inactive, disabled or suspended attorneys to show cause why this court should not grant the Board's petition and condition their right to be reinstated to active status upon full compliance with SCR 213 in addition to any conditions of reinstatement already imposed or which may hereafter be imposed: David

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<sup>1</sup>On June 22, 2005, the Board filed a notice indicating that Stephen D. Hampton is deceased and requesting that his name be removed from the petition. Accordingly, the petition is dismissed as to Mr. Hampton

<sup>2</sup>The Board's September 10, 2004, petition and our March 29, 2005, order identified Vicki L. Carlton, Gary M. Segal and Mark L. Sturdivant as active attorneys. However, this court subsequently suspended Ms. Carlton from the practice of law for six months and one day on April 6, 2005, and suspended Mr. Segal for six months and one day on March 25, 2005. On February 22, 2005, we disbarred Mr. Sturdivant from the practice of law.

J. Arsenault, J. Timothy Bak, Karen A. Barrett, Polly N. Barrett, Rafael Bernardino, Douglas M. Borthwick, Toni Christiani, Keith C. Cramer, Christopher R. Hooper, John T. Jensen, Andrew P. Jones, Brian M. Keith, Linda L. Lehman, John R. Lusk, Kenneth R. Myers, Jerry H. Vosen, and John A. Wishon.

On February 11, 2005, March 23, 2005, April 11, 2005, May 3, 2005, May 12, 2005, May 23, 2005, June 20, 2005, and August 29, 2005, the Board filed documents entitled "Consent to Dismissal," informing this court that the following attorneys have satisfied the requirements set forth in SCR 205 through 215: David E. Adkins, Bart M. Blechschmidt, Douglas M. Borthwick, Douglas H. Clark,<sup>3</sup> James R. Cox, Keith C. Cramer, Leslie E. Criswell, Sally C. DeWitt, Michael E. Eisner, Gerard A. Fierro, Thomas J. Fitzpatrick, Stacey M. Garrett, Harry R. Gensler, Brian D. Green, Dale E. Haley, Stephen J. Healey, Rulon J. Huntsman, John T. Jensen, George W. Johnson, Brian M. Keith, Francis Kocka, John R. Lusk,<sup>4</sup> Steven A. McKinley, Uyen N. Nguyen, Michael H. Schwarz, Stephen S. Sprinkel, Jerry H. Vosen, Mark A. Wasser, and Gregory F. Wilson. Accordingly, we conclude that these respondent attorneys have completed the requirements for reinstatement under SCR 213, and we dismiss the Board's petition with prejudice as to each of them.

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<sup>3</sup>Douglas H. Clark filed an affidavit in response to our order on April 4, 2005, indicating that he is "now in full compliance."

<sup>4</sup>John R., Lusk was identified in the Board's initial petition as an attorney who had been suspended for failure pay state bar fees. On September 24, 2004, the Board filed a letter informing this court that the state bar had reinstated Mr. Lusk to active status. On May 12, 2005, the Board filed a "Consent to Dismissal" informing this court that Mr. Lusk has complied fully with the requirements of SCR 205 through 215.

The remaining active attorneys have failed to respond to our show cause order entered March 29, 2005. Accordingly, we grant the Board's petition as to these attorneys. The status of the following active respondent attorneys shall be changed to inactive, and their rights of reinstatement shall be conditioned upon full compliance with SCR 213:

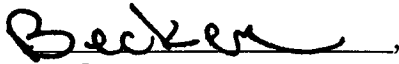
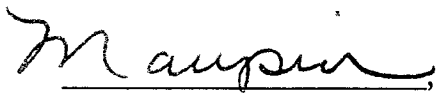


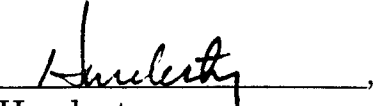
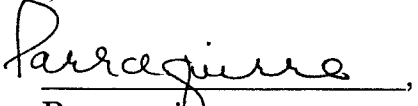
David E. Barker  
Edward L. Blalock  
Judith H. Braecklein  
Eduardo P. Chacon  
Illyssa I. Fogel  
Mary P. Groesbeck  
Leah A. Kane  
John H. Scarpino  
Timothy Sears  
Carl E. Sizemore  
Gregory S. Skinner  
J.E. Smith  
Christy M. Thompson  
Scott N. Tisevich  
Lauren M. Tran  
Travis C. Williamson

Further, the following inactive, suspended, disabled or disbarred attorneys have failed to respond to our show cause order entered March 29, 2005. Accordingly, we grant the Board's petition as to the following inactive, suspended or disbarred attorneys. Their right to be reinstated to the active practice of law shall be conditioned upon full compliance with SCR 213, in addition to any conditions of reinstatement already imposed upon them.

David J. Arsenault  
J. Timothy Bak  
Karen A. Barrett  
Polly N. Barrett  
Rafael Bernardino  
Vicki L. Carlton  
Toni Christiani

Christopher R. Hooper  
Andrew P. Jones  
Linda L. Lehman  
Kenneth R. Myers  
Gary M. Segal  
Mark L. Sturdivant  
John A. Wishon

It is so ORDERED.<sup>5</sup>

 Becker	C.J.	 Maupin	J.
 Gibbons	J.	 Douglas	J.
 Hardesty	J.	 Parraguire	J.

cc: Chris Boadt, CLE Director  
Toni Sarocka, Executive Director, Board  
of Continuing Legal Education  
Daniel F. Polsenberg, Chair, Board of  
Continuing Legal Education  
Alan Kimbrough, Executive Director,  
State Bar of Nevada/Las Vegas  
Rob W. Bare, Bar Counsel  
State Bar of Nevada/Las Vegas  
All respondent attorneys

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<sup>5</sup>The Honorable Robert E. Rose, Justice, did not participate in the decision of this matter.