

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
J. THOMAS HALE, ESQ.

No. 45954

FILED

SEP 23 2005

ORDER OF TEMPORARY SUSPENSION

JANET L. HUGHES
CLERK OF SUPREME COURT
J. C. [Signature]
DEPUTY CLERK

This is a petition by the Northern Nevada Disciplinary Board Chair for an order temporarily suspending attorney J. Thomas Hale from the practice of law, pending the resolution of formal disciplinary proceedings against him.¹ The petition and supporting documentation demonstrate that Hale appears to have abandoned his clients and his practice, and that he has fled the state. Also, the documentation before this court establishes that a bench warrant has been issued for Hale's arrest, based on his failure to abide by certain probation conditions of his sentence for domestic battery. Finally, Hale has refused to respond to the state bar, and he has failed to maintain an address under SCR 79.

SCR 102(4)(a) provides, in pertinent part:

¹This matter was originally docketed as confidential because some of the misconduct described in the petition and its exhibits was not yet the subject of a formal disciplinary complaint. See SCR 121. Since we are granting the petition, we conclude that this matter should now be open to the public.

On the petition of a disciplinary board, signed by its chairman or vice chairman, supported by an affidavit alleging facts personally known to the affiant which shows that an attorney appears to be posing a substantial threat of serious harm to the public, the supreme court may issue an order, with notice as the court may prescribe, imposing an immediate temporary suspension of the attorney

In addition, SCR 102(4)(b) provides that this court may place restrictions on an attorney's handling of funds.

We conclude that the documentation before us demonstrates that Hale poses a substantial threat of serious harm, and that his immediate temporary suspension is warranted.² We further conclude that Hale's handling of funds should be restricted.³

Accordingly, Hale is temporarily suspended from the practice of law, pending the resolution of formal disciplinary proceedings against him.⁴ In addition, Hale shall be prohibited from withdrawing funds in his client trust account, or from any other account containing funds belonging to third parties, except upon written approval of bar counsel or by order of a court of competent jurisdiction. The state bar shall immediately serve Hale with a copy of this order. Such service may be accomplished by

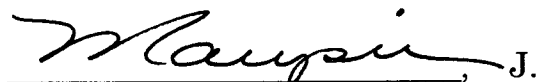
²See SCR 102(4)(a).


³See SCR 102(4)(b).

⁴Under SCR 102(4)(c), Hale is prohibited from accepting new clients immediately, and he has fifteen days within which to transfer his existing cases to new counsel. Any fees or other funds received from or on behalf of clients during this fifteen-day period shall be deposited in a trust account, from which no withdrawals may be made except upon written approval of bar counsel or by order of a court of competent jurisdiction.

personal service, certified mail, delivery to a person of suitable age at Hale's law office or residence, or by publication. When served on either Hale or a depository in which he maintains an account, this order shall constitute an injunction against withdrawal of the proceeds except in accordance with the terms of this order.⁵

It is so ORDERED.⁶

 J.

Maupin
 J.
Gibbons

 J.
Hardesty

cc: Patrick V. Fagan, Chair, Northern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Allen W. Kimbrough, Executive Director
Perry Thompson, Admissions Office,
Supreme Court of the United States
J. Thomas Hale

⁵See SCR 102(4)(b).

⁶Hale and the state bar shall comply with SCR 115.

This is our final disposition of this matter. Any new proceedings concerning Hale shall be docketed under a new docket number.