

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF HAMILTON D.  
MOORE.

No. 47062

**FILED**

APR 21 2006

*Janette M. Blum*  
JANETTE M. BLUM  
CLERK OF SUPREME COURT  
DEPUTY CLERK

ORDER OF TEMPORARY SUSPENSION

This is a petition by the Southern Nevada Disciplinary Board Chair for an order temporarily suspending attorney Hamilton D. Moore from the practice of law, pending the resolution of formal disciplinary proceedings against him.<sup>1</sup> The petition and supporting documentation demonstrate that Moore appears to have misappropriated approximately \$115,000 in client funds, and that he has lied to his client and made willful misrepresentations in court-filed documents in an effort to conceal his misappropriation. Moore, through counsel, filed a response to the petition, in which he admits that a temporary suspension is warranted. But Moore asks that this court permit him to seek employment in the public sector that will not involve any access to a client trust account.

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

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<sup>1</sup>This matter was originally docketed as confidential because a formal disciplinary complaint had not yet been filed. 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 Moore poses a substantial threat of serious harm, and that his immediate temporary suspension is warranted.<sup>2</sup> We further conclude that Moore's handling of funds should be restricted.<sup>3</sup>

Accordingly, Moore is temporarily suspended from the practice of law, pending the resolution of formal disciplinary proceedings against him.<sup>4</sup> In addition, Moore shall be prohibited from withdrawing any funds from 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

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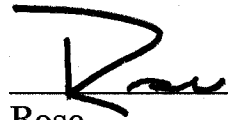
<sup>2</sup>See SCR 102(4)(a). We decline Moore's request to make an exception to this order for public sector employment.

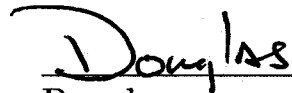
<sup>3</sup>See SCR 102(4)(b).

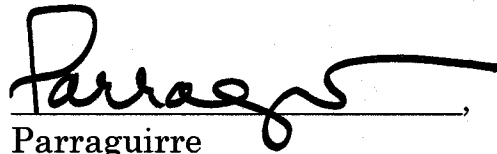
<sup>4</sup>Under SCR 102(4)(c), Moore is prohibited from accepting new clients immediately. He may continue to represent existing clients for fifteen days. Any fees or other funds received from or on behalf of clients during this fifteen-day period shall be deposited in a trust account, from which no withdrawals may be made except upon written approval of bar counsel or by order of a court of competent jurisdiction.

immediately serve Moore with a copy of this order. Such service may be accomplished by personal service, certified mail, delivery to a person of suitable age at Moore's law office or residence, or by publication. When served on either Moore 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.<sup>5</sup>

It is so ORDERED.<sup>6</sup>

  
\_\_\_\_\_, C.J.  
Rose

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Parraguirre

cc: Howard Miller, Chair, Southern Nevada Disciplinary Board  
Rob W. Bare, Bar Counsel  
Allen W. Kimbrough, Executive Director  
John R. Lusk  
Perry Thompson, Admissions Office,  
Supreme Court of the United States

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<sup>5</sup>See SCR 102(4)(b).

<sup>6</sup>Moore shall comply with SCR 115.

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