

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF THOMAS F.  
RILEY.

No. 49888

FILED

OCT 17 2007

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Casella*  
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR TEMPORARY SUSPENSION  
AND DECLINING TO REFER MATTER FOR FORMAL DISCIPLINE

This is an SCR 111 petition for temporary suspension of attorney Thomas F. Riley, based on his conviction of one misdemeanor count of driving under the influence of alcohol. This crime does not meet the definition of "serious crime" set forth in SCR 111(6), but it did not appear to be a minor offense and appeared to adversely reflect on Riley's fitness to practice law. Accordingly, we directed Riley to show cause why an immediate temporary suspension should not be imposed and the matter referred for formal discipline.<sup>1</sup> Riley filed a timely response.

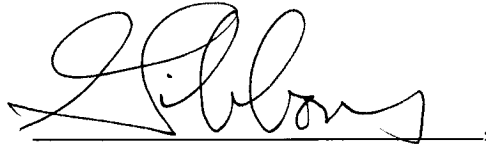
Having considered the petition and the response, we conclude that Riley's offense does not warrant the imposition of a temporary suspension, as it does not appear that he poses any current threat to the public or to the administration of justice. We further conclude that referral of this matter for formal discipline in the first instance is not

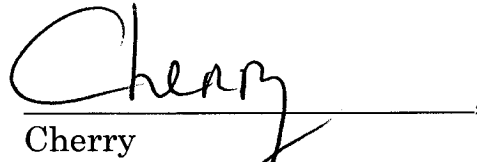
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<sup>1</sup>See SCR 111(9).

appropriate. The state bar remains free to exercise its discretion in determining whether to proceed under SCR 105.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

cc: Rob W. Bare, Bar Counsel  
Kimberly K. Farmer, Executive Director  
Thomas F Riley