

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: REINSTATEMENT OF VICKI
CARLTON.¹

No. 50371

FILED

APR 10 2008

TRACIE K. UNDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DENYING REINSTATEMENT

This is an automatic review of a Southern Nevada Disciplinary Board hearing panel's recommendation to deny suspended attorney Vicki Carlton's petition for reinstatement. Having reviewed the record, we conclude that the panel correctly found that Carlton has failed to meet her burden of showing by clear and convincing evidence that she should be reinstated.

While a disciplinary panel's recommendation is persuasive, we review a petition for reinstatement de novo.² The person seeking reinstatement bears the burden of proof, and must show by clear and convincing evidence that she "has the moral qualifications, competency, and learning in law required for admission to practice law in this state, and that [her] . . . resumption of the practice of law will not be detrimental

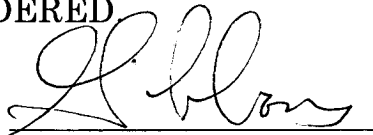
¹We direct the clerk of this court to amend the caption on this court's docket to conform to the caption on this order.

²In Re Nubar Wright, 75 Nev. 111, 335 P.2d 609 (1959) (noting that consideration of the record is made without deference to the hearing panel's findings).


to the integrity and standing of the bar, to the administration of justice, or to the public interest.”³

Based on the record before this court, we conclude that Carlton has failed to meet her burden under SCR 116 to show that she is entitled to reinstatement. Accordingly, we approve the panel’s recommendation and deny the petition for reinstatement.⁴ Additionally, we approve the panel’s recommendation that Carlton shall pay the costs of the disciplinary board’s proceedings within 30 days of the date of this order.

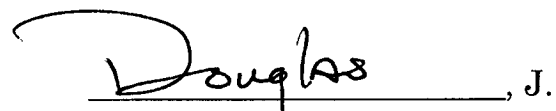
It is so ORDERED

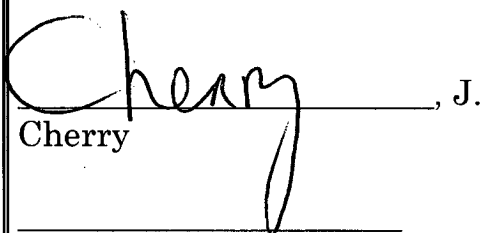

Gibbons, C.J.

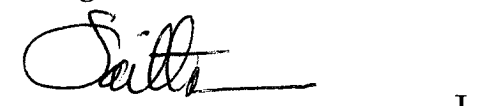

Maupin


Hardesty


Parraguirre


Douglas


Cherry


Saitta

³SCR 116(2).

⁴In any future reinstatement petition, Carlton should be prepared to demonstrate significant restitution efforts to Rosa Montoya and the State Bar of Nevada’s Client Security Fund. Also, shortly after Carlton was suspended in 2005, a check that she wrote to pay a peremptory challenge fee in District Court Case No. D208843 was returned for insufficient funds; Carlton should address this matter as well.

cc: Jeffrey D. Albregts, Chair, Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Kimberly K. Farmer, Executive Director
Palmer & Associates