

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

IN THE MATTER OF DISCIPLINE OF
KENNETH LONG, ESQ., BAR NO.
6042.

No. 53400

FEB 16 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER REJECTING REVISED CONDITIONAL GUILTY PLEA AND
REMANDING FOR FURTHER DISCIPLINARY PROCEEDINGS

This is an automatic review of a revised conditional guilty plea agreement under SCR 113 involving attorney Kenneth Long.¹ A Southern Nevada Disciplinary Board hearing panel recommended approval of the revised agreement. In this revised agreement, Long pleaded guilty to violating RPC 8.4(b) (misconduct: criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer), in exchange for an 18-month suspension, retroactive to the beginning of a temporary suspension ordered by this court on March 7, 2008.²

Having reviewed the record of the disciplinary proceedings and the attached exhibits, we reject the revised conditional guilty plea

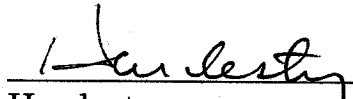
¹See In re: Discipline of Kenneth Long, Docket No. 52021 (Order Rejecting Conditional Guilty Plea and Remanding for Further Disciplinary Proceedings, November 5, 2008).

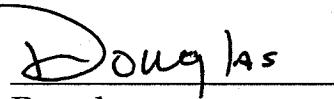
²In the revised conditional guilty plea agreement, the State Bar agreed to dismiss the charge of violating SCR 8.4(c) (misconduct: engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation).

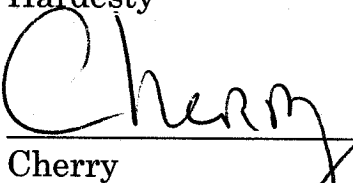
agreement.³ Accordingly, we remand this matter to the Southern Nevada Disciplinary Board for further proceedings.⁴

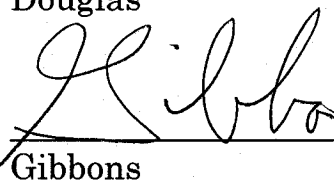
It is so ORDERED.⁵

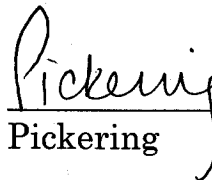

Parraguirre, C.J.


Hardesty, J.


Douglas, J.


Cherry, J.


Gibbons, J.


Pickering, J.

cc: Jeffrey R. Albregts, Chair, Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Kimberly K. Farmer, Executive Director
William B. Terry, Chartered

³This court would be inclined to approve a revised conditional guilty plea agreement where, in exchange for pleading guilty to violating RPC 8.4(b), Long agrees to a 32-month suspension from the practice of law, retroactive to the beginning of the March 7, 2008, temporary suspension, and to pay the costs of the disciplinary proceedings.

⁴This order constitutes our final action in this proceeding. When the State Bar again forwards this matter to this court, it shall be docketed as a new proceeding in this court.

⁵The Honorable Nancy Saitta, Justice, voluntarily recused herself from participation in the decision of this matter.