

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF GREGG A.
HUBLEY, ESQ., BAR NO. 7386.
Respondent.

No. 57126

FILED

NOV 19 2010

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

ORDER DECLINING TO IMPOSE TEMPORARY SUSPENSION

This is a petition by bar counsel pursuant to SCR 111(4) concerning attorney Gregg A. Hubley, based on Hubley's conviction of first-offense driving under the influence, a misdemeanor. Hubley informed bar counsel (albeit in an untimely manner) of his conviction. See SCR 111(2). Because Hubley's crime is not one of those specifically enumerated in SCR 111(6) as "serious" crimes requiring suspension and automatic referral to the disciplinary board, temporary suspension and referral to the disciplinary board are discretionary with this court. SCR 111(9).

The gravity of drinking and driving cannot be minimized; however, first-offense driving under the influence is not the type of offense for which professional discipline is typically imposed. 1 Geoffrey C. Hazard, Jr. & W. William Hodes, The Law of Lawyering § 65.4 (3d. ed. Supp. 2009); In the Matter of Respondent I, 2 Cal. State Bar Ct. Rptr. 260, 266 n.6, 272 (Rev. Dept. 1993).

Accordingly, having considered the petition and the supporting documentation, including Hubley's letter reporting the conviction to bar counsel, we conclude that Hubley's offense does not

warrant the imposition of a temporary suspension or referral to the disciplinary board at this time.

It is so ORDERED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Rob W. Bare, Bar Counsel
State Bar of Nevada/Las Vegas
Gregg A. Hubley, Esq.