

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
JEFFREY FERGUSON, ESQ., BAR NO.  
6292.

No. 57640

**FILED**

JUL 01 2011

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

ORDER OF TEMPORARY SUSPENSION

This is a petition by the Southern Nevada Disciplinary Board Chair for an order temporarily suspending attorney Jeffrey Ferguson from the practice of law, pending the resolution of formal disciplinary proceedings against him.<sup>1</sup> The petition and supporting documentation allege that Ferguson: misappropriated funds; commingled funds; falsely reported to the State Bar that he was current on his support obligations; failed to report a trust account to the State Bar; is the subject of numerous criminal charges, both felony and misdemeanor, arising from separate incidents spanning a several-month period; and made a veiled threat against his ex-wife. Ferguson has filed a request to file a response to the petition.<sup>2</sup>

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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(5). Since we are granting the petition, this matter is now open to the public. See id.

<sup>2</sup>Although the rules do not expressly contemplate the filing of a response to the petition, we direct the clerk of the court to file the response  
*continued on next page . . .*

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

On the petition of a disciplinary board, signed by its chair or vice chair, 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 order, with notice as the court may prescribe, the attorney's immediate temporary suspension or may impose other conditions upon the attorney's practice.

In addition, SCR 102(4)(b) and (c) provide that we may place restrictions on an attorney's handling of funds and on an attorney's acceptance and representation of clients.

We conclude that the documentation before us demonstrates that Ferguson poses a substantial threat of serious harm to the public, and that his immediate temporary suspension is warranted under SCR 102(4)(a). Accordingly, attorney Jeffrey Ferguson is hereby temporarily suspended from the practice of law pending the resolution of formal disciplinary proceedings against him.

In addition, pursuant to SCR 102(4)(a), (b), and (c), we impose upon Ferguson the following conditions:

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*... continued*

received February 8, 2011. We have considered Ferguson's response in resolving this matter. Ferguson's request for a hearing is denied.

1. Ferguson is precluded from accepting new cases; he may, however, continue to represent existing clients during the first 15 days after service of this order;<sup>3</sup>

2. All proceeds from Ferguson's practice of law and all fees and other funds received from or on behalf of clients shall, from the date of service of this order, be deposited into a trust account from which no withdrawals may be made by Ferguson except upon written approval of bar counsel or by order of a court of competent jurisdiction; and

3. Ferguson is prohibited from withdrawing any funds from any and all accounts in any way relating to his law practice, including but not limited to his general and trust accounts, except upon written approval of bar counsel or by order of a court of competent jurisdiction.


The State Bar shall immediately serve Ferguson with a copy of this order. Such service may be accomplished by personal service, certified mail, delivery to a person of suitable age at Ferguson's law office or residence, or by publication. When served on either Ferguson 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. See SCR 102(4)(b).


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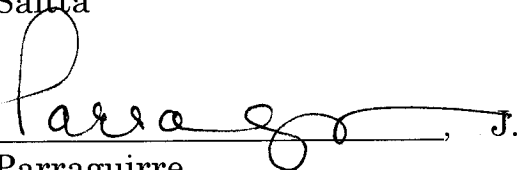
<sup>3</sup>Although the petition seeks to preclude Ferguson from continuing to represent existing clients "effective immediately" upon service of our order, we note that it fails to make a specific argument, other than the showing made in support of temporary suspension, why we should not give the attorney 15 days to continue representing existing clients as is generally contemplated by SCR 102(4)(c).

Ferguson shall comply with SCR 115. Bar counsel shall comply with SCR 121.1.

It is so ORDERED.<sup>4</sup>

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

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

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

cc: Jeffrey Albregts, Esq., Chair, Southern Nevada Disciplinary Board  
David A. Clark, Bar Counsel  
Kimberly K. Farmer, Executive Director, State Bar of Nevada  
Richard A. Schonfeld, Esq.  
Jeffrey Ferguson  
Perry Thompson, Admissions Office, United States Supreme Court

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<sup>4</sup>This order constitutes our final disposition of this matter. Any future proceedings concerning Ferguson shall be docketed as a new matter.