

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: PETITION FOR  
REINSTATEMENT OF RICHARD L.  
PIPKINS, BAR NO. 369.

No. 57908

**FILED**

MAY 24 2012

TRACIE K. KINDEMAN  
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 that suspended attorney Richard L. Pipkins' petition for reinstatement be denied. Having reviewed the record and the submitted briefs, we conclude that the panel correctly found that Pipkins has failed to meet his burden of showing by clear and convincing evidence that he should be reinstated.

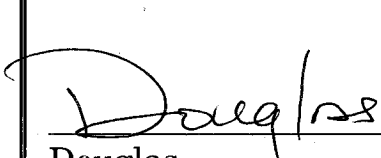
While a disciplinary panel's recommendation is persuasive, we review a petition for reinstatement de novo. In Re Nubar Wright, 75 Nev. 111, 335 P.2d 609 (1959) (noting that consideration of the record is made without deference to the hearing panel's findings). The person seeking reinstatement bears the burden of proof and must show by clear and convincing evidence that he "has the moral qualifications, competency, and learning in law required for admission to practice law in this state, and that his . . . resumption of the practice of law will not be detrimental to the integrity and standing of the bar, to the administration of justice, or to the public interest." SCR 116(2).


Based on the record and briefs before this court, we conclude that Pipkins has failed to meet his burden under SCR 116 to show that he

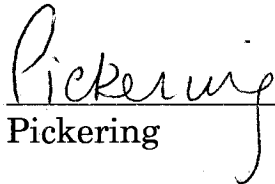
is entitled to reinstatement. Pipkins failed to set forth evidence relevant to his continued legal education since his suspension sufficient to demonstrate that he has the competency and learning in law required for admission to practice. Further, Pipkins' disingenuous testimony before the hearing panel related to his past judgments and debts, as well as his lack of candor on his bar application, give us concern that his resumption of practice will be detrimental to the integrity and standing of the bar.

Accordingly, we approve the panel's recommendation and deny the petition for reinstatement.

It is so ORDERED.

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

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

\_\_\_\_\_, J.  
Pickering

\_\_\_\_\_, J.  
Hardesty


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

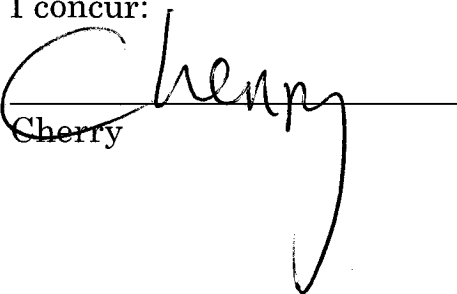
cc: Jeffrey Albregts, Chair, Southern Nevada Disciplinary Board  
Kimberly Farmer, Executive Director, State Bar of Nevada  
David Clark, Bar Counsel  
Greenberg Traurig, LLP/Las Vegas  
Richard L. Pipkins  
Perry Thompson, Admissions Office, United States Supreme Court

GIBBONS, J., with whom, CHERRY, C.J., agrees, dissenting:

As the majority acknowledges, the Supreme Court reviews a petition for reinstatement de novo. In 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). The hearing upon the petitioner's reinstatement request included supporting testimony from Judge Hunt, Judge Mosley and James Edwards.

In addition, Pipkins has been suspended from the practice of law in Nevada since May 28, 1993. During this period of time, Pipkins passed the bar examination in 2008 and the MPRE in 2009. I conclude that a de facto eighteen-year suspension is a sufficient sanction for his prior discipline together with the transgressions identified in the disciplinary panel's recommendation. For these reasons, I would grant the petition for reinstatement.

  
Gibbons, J.

I concur:  
  
Cherry, C.J.