

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
NORBERTO CISNEROS, BAR NO. 8782.

No. 62192

FILED

JAN 10 2013

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

ORDER DECLINING TO IMPOSE TEMPORARY SUSPENSION

This is a petition by bar counsel pursuant to SCR 111(4) concerning attorney Norberto J. Cisneros, based on Cisneros's conviction in Henderson Municipal Court, pursuant to a nolo contendere plea, of first-offense driving under the influence.¹ Cisneros failed to report his conviction to bar counsel as required by SCR 111(2).² Because Cisneros's conviction is not one of those specifically discussed in SCR 111(6)-(8) as a "serious" crime 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).

¹Upon his honorable discharge from supervision, the charge against Cisneros was amended from driving under the influence to reckless driving.

²Cisneros filed a response to the state bar's petition for the purpose of reporting his conviction. He concedes that such reporting is untimely, but indicates that he failed to timely report his conviction to the state bar because his counsel advised him that it was unnecessary to do so.

The gravity of drinking and driving cannot be minimized; however, first-offense misdemeanor driving under the influence is not the type of offense for which professional discipline is typically imposed. See 2 Geoffrey C. Hazard, Jr., W. William Hodes & Peter R. Jarvis, The Law of Lawyering § 65.4 (3d ed. 2012); 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, we conclude that Cisneros's offense does not warrant the imposition of a temporary suspension or referral to the disciplinary board at this time.

It is so ORDERED.

Pickering, C.J.
Pickering

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Cherry, J.
Cherry

Saitta, J.
Saitta

cc: David A. Clark, Bar Counsel
State Bar of Nevada/Las Vegas
Norberto J. Cisneros