

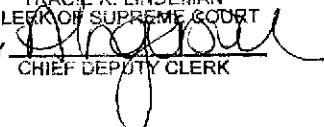
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
BRETT I. JOHNSON, BAR NO. 12230

No. 65740

FILED

JUN 24 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

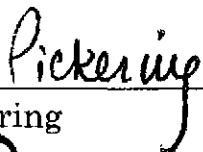
ORDER DECLINING TO IMPOSE TEMPORARY SUSPENSION

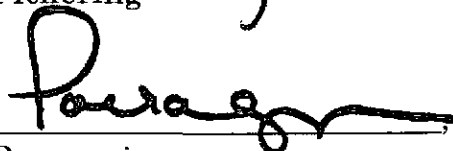
This is a petition by bar counsel pursuant to SCR 111(4) concerning attorney Brett I. Johnson, based on Johnson's conviction in Las Vegas Municipal Court, pursuant to a nolo contendere plea, of first-offense driving under the influence. Because Johnson's conviction is not one of those specifically discussed 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).

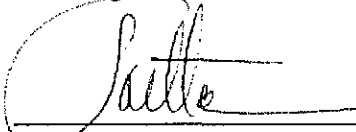
The gravity of drinking and driving cannot be minimized; however, first-offense misdemeanor driving under the influence is not the type of offense for which professional discipline is typically imposed. See 2 Geoffrey C. Hazard, Jr., W. William Hodes & Peter R. Jarvis, *The Law of Lawyering* § 65.4 (3d ed. 2012); *In re Respondent I*, 2 Cal, State Bar Ct. Rptr. 260, 266 n.6, 272 (Rev. Dep't 1993).

Accordingly, having considered the petition and the supporting documentation, we conclude that Johnson's offense does not warrant the imposition of a temporary suspension or referral to the disciplinary board at this time.

It is so ORDERED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: David A. Clark, Bar Counsel
State Bar of Nevada/Las Vegas
Brett I. Johnson