

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
DELMAR L. HARDY, ESQ. BAR NO. 1172

No. 68830

FILED

OCT 15 2015

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

*ORDER DECLINING TO IMPOSE TEMPORARY SUSPENSION*

This is a petition under SCR 111 concerning attorney Delmar Hardy, based on a conviction for one count of driving under the influence, a misdemeanor. Hardy self-reported the conviction to the State Bar. Because the crime is not one of those specifically enumerated in SCR 111(6) as a "serious" crime, temporary suspension and referral to the disciplinary board are discretionary with this court. SCR 111(9).

The seriousness 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. 2 Geoffrey C. Hazard, Jr., W. William Hodes, & Peter R. Jarvis, *The Law of Lawyering*, § 69.04, at 69-13 (4th ed. 2015); *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 supporting documentation, we conclude that Hardy's offense does not warrant the imposition of a temporary suspension or referral to a disciplinary board at this time.

It is so ORDERED.

*[Signature]*

, J.

Saitta

*[Signature]*

Gibbons

*[Signature]*

, J.

Pickering

cc: Bar Counsel, State Bar of Nevada  
Martin H. Wiener