

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
PETER C. NUTTALL, BAR NO. 10704.

No. 70952

**FILED**

DEC 21 2016

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF SUSPENSION*

This is an automatic review of the Southern Nevada Disciplinary Board hearing panel's recommendation that this court suspend attorney Peter Nuttall for one year.

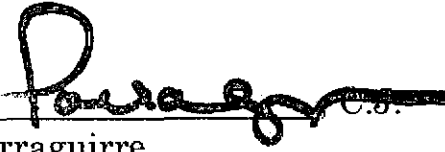
Because Nuttall did not respond to the bar complaint, the allegations in the complaint have been deemed admitted. SCR 105(2). Nuttall hired a paralegal to assist him with the filing of a bankruptcy petition because he generally did not practice bankruptcy law. He relied on the paralegal to obtain the original signatures of his clients Brandi and Robert Sponhouse before the bankruptcy petition was filed, which the paralegal did not do, and Nuttall only reviewed an electronic copy of the petition before it was filed. Further, Nuttall knew the petition was inadequate when it was filed but planned to amend it later. The bankruptcy court twice dismissed the petition and ordered Nuttall to repay the Sponhouses \$2,300. Additionally, Nuttall had two misdemeanor offenses for driving under the influence (DUI). Nuttall has violated RPC 1.1 (competence), RPC 1.3 (diligence), RPC 5.3 (responsibilities regarding nonlawyer assistants), and RPC 8.4(d) (misconduct).

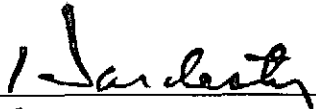
After a hearing, the panel recommended Nuttall be suspended for one year and ordered to repay the \$2,300 to the Sponhouses as a condition of reinstatement. The panel also recommended that Nuttall complete 10 CLE credits in ethics before seeking reinstatement and repay the costs of the bar proceedings. In support of these recommendations, the panel found one mitigating circumstance—absence of dishonest or selfish motive—and two aggravating circumstances—a pattern of misconduct and bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders.

Weighing “the dut[ies] violated, [Nuttal’s] mental state, the potential or actual injury caused by [Nuttal’s] misconduct, and the existence of aggravating or mitigating factors,” *In re Discipline of Lerner*, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (2008), we conclude that the panel’s recommended suspension is sufficient to protect the public, the courts, and the legal profession, *see State Bar of Nev. v. Claiborne*, 104 Nev. 115, 213, 756 P.2d 464, 527-28 (1988). *See generally* Standards for Imposing Lawyer Sanctions, *Compendium of Professional Responsibility Rules and Standards*, Standards 4.4, 4.5, 5.1, and 7.0 (Am. Bar Ass’n 2015). Accordingly, attorney Peter Nuttall is hereby suspended from the practice of law in Nevada for one year retroactive to June 30, 2016. Prior to reinstatement, Nuttall shall repay the Sponhouses \$2,300, complete 10 hours of continuing legal education in ethics, and pay the costs of the bar

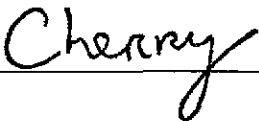
proceedings, excluding Bar Counsel and staff salaries. The parties shall comply with the applicable provisions of SCR 115 and SCR 121.1.

It is so ORDERED.

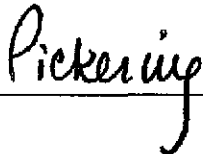
  
Parraguirre

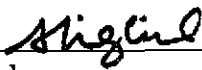
  
Hardesty, J.

  
Douglas, J.

  
Cherry, J.

  
Gibbons, J.

  
Pickering, J.

  
Stiglich, J.

cc: Chair, Southern Nevada Disciplinary Board  
Peter C. Nuttall  
C. Stanley Hunterton, Bar Counsel, State Bar of Nevada  
Kimberly K. Farmer, Executive Director, State Bar of Nevada  
Perry Thompson, Admissions Office, United States Supreme Court