

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE DISCIPLINE OF  
ROBERT J. WALSH, ESQ.

No. 37894

**FILED**

**JUL 12 2001**

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK

ORDER GRANTING IN PART AND DENYING IN PART  
PETITION FOR SCR 111 TEMPORARY SUSPENSION AND  
REFERRAL TO DISCIPLINARY BOARD

Bar counsel for the State Bar of Nevada has petitioned this court to review a judgment of conviction recently entered against attorney Robert J. Walsh. Walsh filed a motion for leave to file an opposition to the petition; the motion is unopposed by bar counsel.<sup>1</sup>

Bar counsel's petition is documented with certified copies of documents demonstrating that Walsh was convicted, pursuant to a guilty plea, of one count of conspiring to interfere with a business, a misdemeanor under Alabama Code Section 13A-11-122. The conduct underlying Walsh's conviction involved his efforts to evade the requirements of Alabama law while attempting to recruit college athletes for whom he would act as an agent.

Bar counsel requests that this court enter an order temporarily suspending Walsh and referring this matter to a hearing panel of the Southern Nevada Disciplinary Board for formal proceedings, based upon Walsh's conviction of a serious crime. Bar counsel argues that Walsh's underlying conduct evidenced deceit and misrepresentation, and so temporary suspension is warranted even though Walsh was convicted of a misdemeanor, not a felony.

<sup>1</sup>We grant Walsh's motion and direct the clerk of this court to file Walsh's opposition, received on June 5, 2001.

Walsh asserts that he has not engaged in deceit and misrepresentation, and that his conduct consisted only of entering into an agreement with an individual who then violated Alabama law concerning sports agents' representation of college athletes, without Walsh's knowledge or authorization.

Having reviewed the petition and the supporting documentation submitted by bar counsel, as well as Walsh's opposition, we conclude that they raise factual issues, which this court is ill-equipped to resolve.<sup>2</sup> Accordingly, we are unable to determine that Walsh's conviction is for a "serious crime," and decline to temporarily suspend Walsh from the practice of law in this state.<sup>3</sup> We nevertheless refer this matter to a hearing panel of the Southern Nevada Disciplinary Board for the purpose of conducting formal disciplinary proceedings pursuant to SCR 111(5).

It is so ORDERED.<sup>4</sup>

Maupin, C.J.  
Maupin

Shearing, J.  
Shearing

Leavitt, J.  
Leavitt

Young, J.  
Young

Rose, J.  
Rose

Becker, J.  
Becker

<sup>2</sup>See Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

<sup>3</sup>See SCR 111(1), (2) and (3).

<sup>4</sup>This order constitutes our final disposition of this matter. Any further proceedings should be filed under a new docket number.

cc: Richard J. Pocker, Chair,  
Southern Nevada Disciplinary Board  
Rob W. Bare, Bar Counsel  
Allen W. Kimbrough, Executive Director  
Alverson Taylor Mortensen Nelson & Sanders