

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
T. LINCOLN PETERSON, ESQ.

No. 52884

FILED

JAN 20 2009

TRAVIS LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER OF SUSPENSION

This is an automatic review of a Southern Nevada Disciplinary Board hearing panel's recommendation of a six month and one day suspension of attorney T. Lincoln Peterson.

The State Bar filed a disciplinary complaint against Peterson based on an allegation that he engaged in the unauthorized practice of law by continuing to practice while he was suspended for failure to pay his bar fees and to complete continuing legal education requirements. The complaint set forth violations of RPC 3.3 (Candor Toward the Tribunal), RPC 5.5 (Unauthorized Practice of Law), RPC 8.1(b) (Bar Admission and Disciplinary Matters), and RPC 8.4(d) (Misconduct: Engaging in conduct prejudicial to the administration of justice).

Peterson failed to respond to the disciplinary complaint or appear at the disciplinary hearing. As a result, the disciplinary hearing proceeded on a default basis and all allegations set forth in the disciplinary complaint were deemed admitted, pursuant to SCR 105(2). Based on these circumstances, the disciplinary panel found rule violations as set forth in the disciplinary complaint and recommended that Peterson be suspended for six months and one day, which would require Peterson to file a petition for reinstatement before he would be permitted to practice

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law in Nevada again. SCR 116. The disciplinary panel also recommended that Peterson be required to pay the State Bar's costs and staff salaries related to this disciplinary matter, as provided for by SCR 120.

While a disciplinary panel's findings and recommendations are persuasive, this court reviews the record de novo to determine whether discipline is proper. In re Discipline of Schaefer, 117 Nev. 496, 515, 25 P.3d 191, 204, as modified by 31 P.3d 365 (2001). Peterson failed to file a brief with this court disputing the disciplinary panel's recommendations. Having reviewed the record, we approve the recommendations of the disciplinary panel. Peterson is hereby suspended from the practice of law in Nevada for six months and one day. Peterson is required to petition for reinstatement following the period of suspension, if he chooses, pursuant to SCR 116. Additionally, Peterson is responsible for the payment of the disciplinary proceeding's costs. SCR 120.

It is so ORDERED.

1 Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Douglas, J.
Douglas

Saitta, J.
Saitta

Pickering, J.
Pickering

cc: Jeffrey D. Albregts, Chair, Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Kimberly K. Farmer, Executive Director
T. Lincoln Peterson
Perry Thompson, Admissions Office, U.S. Supreme Court