

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
JAMES P. SITTER, ESQ.

No. 53447

FILED

MAR 27 2009

TRACEY A. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER OF TEMPORARY SUSPENSION

This is a joint petition filed by the Southern Nevada Disciplinary Board Chair and James P. Sitter, Esq. for an order temporarily suspending attorney Sitter from the practice of law, pending the resolution of formal disciplinary proceedings against him. The petition and supporting documentation demonstrate that Sitter appears to have misappropriated funds from clients and third-party lienholders.

SCR 102(4)(a) provides, in pertinent part:

On the petition of a disciplinary board, signed by its chair or vice chair, supported by an affidavit alleging facts personally known to the affiant, which shows that an attorney appears to be posing a substantial threat of serious harm to the public, the supreme court may order, with notice as the court may prescribe, the attorney's immediate temporary suspension or may impose other conditions upon the attorney's practice.

In addition, SCR 102(4)(b) provides that we may place restrictions on an attorney's handling of funds.

We conclude that the documentation before us demonstrates that Sitter poses a substantial threat of serious harm to the public, and that his immediate temporary suspension is warranted.¹ We further conclude that Sitter's handling of funds should be restricted.²

Accordingly, Sitter is temporarily suspended from the practice of law, pending the resolution of formal disciplinary proceedings against him.³ In addition, Sitter is prohibited from withdrawing any funds from any and all accounts relating in any way to his law practice, including but not limited to his general and trust accounts, except upon written approval of bar counsel or by order of a court of competent jurisdiction.⁴ The State Bar shall immediately serve Sitter with a copy of this order. Such service may be accomplished by personal service, certified mail, delivery to a person of suitable age at Sitter's law office or residence, or by publication. When served on either Sitter or a depository in which he maintains an account, this order shall constitute an injunction against

¹See SCR 102(4)(a).

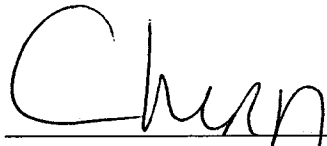
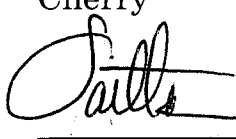
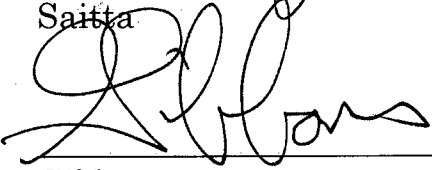
²See SCR 102(4)(b).

³Under SCR 102(4)(c), Sitter is immediately prohibited from accepting new clients and precluded from continuing to represent existing clients. Any fees or other funds received by Sitter from or on behalf of clients shall be deposited in a trust account, from which no withdrawals may be made except upon written approval of bar counsel or by order of a court of competent jurisdiction. Id.

⁴See SCR 102(4)(b).

withdrawal of the proceeds except in accordance with the terms of this order.⁵

It is so ORDERED.⁶


_____, J.
Cherry

_____, J.
Saitta

_____, J.
Gibbons

cc: Jeffrey D. Albregts, Chair, Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Kimberly K. Farmer, Executive Director
James P. Sitter
Perry Thompson, Admission Office, U.S. Supreme Court

⁵See id.

⁶Sitter shall comply with SCR 115.

This is our final disposition of this matter. Any new proceedings concerning Sitter shall be docketed under a new docket number.