

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF DAVID C.
SCHUBERT, BAR NO. 7900.
Respondent.

No. 59979

FILED

SEP 19 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Angela*
DEPUTY CLERK

ORDER OF TEMPORARY SUSPENSION AND
REFERRAL TO DISCIPLINARY BOARD

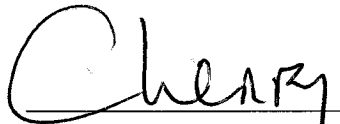
Bar counsel for the State Bar of Nevada has petitioned this court, pursuant to SCR 111, to enter an order temporarily suspending attorney David C. Schubert from the practice of law and referring him to the appropriate board for discipline. The petition is supported by certified copies of documents indicating that on September 7, 2011, Schubert entered a plea of guilty to the charge of unlawful possession of a controlled substance not for the purpose of sale (first offense) in violation of NRS 453.336(1) and (2)(a), a felony.¹ Schubert has filed a response to the petition.


Pursuant to SCR 111, temporary suspension and referral to the appropriate disciplinary board are mandatory when an attorney has been convicted of a "serious" crime, which includes a felony. SCR 111(6)-

¹For purposes of SCR 111, Schubert's guilty plea qualifies as a "conviction" regardless of whether he has received a signed judgment of conviction. See SCR 111(1). Schubert failed to inform bar counsel of the conviction as required by SCR 111(2).


(8). Having reviewed the petition and the supporting documentation submitted by bar counsel, we conclude that the petition conclusively establishes Schubert's conviction of a serious crime. Accordingly, we temporarily suspend Schubert from the practice of law and refer this matter to the Southern Nevada Disciplinary Board for the initiation of formal disciplinary proceedings in which the sole issue to be determined is the extent of discipline to be imposed. See SCR 111(7), (8).

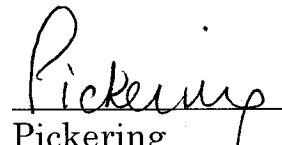
It is so ORDERED.²

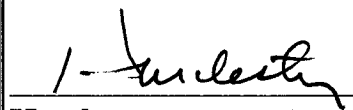

Cherry, C.J.
Cherry

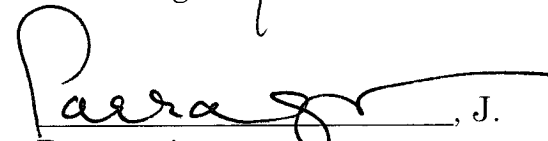

Douglas, J.
Douglas


Saitta, J.
Saitta


Gibbons, J.
Gibbons


Pickering, J.
Pickering


Hardesty, J.
Hardesty


Parraguirre, J.
Parraguirre

cc: Jeffrey Albregts, Esq., Chair, Southern Nevada Disciplinary Board
David A. Clark, Bar Counsel
Kimberly K. Farmer, Executive Director, State Bar of Nevada
William B. Terry, Chartered
Perry Thompson, Admissions Office, United States Supreme Court

²This order constitutes our final disposition of this matter. Any future proceedings concerning Schubert shall be filed under a new docket number.