

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
STEPHEN B. VOGEL, ESQ., BAR NO.
6858.

No. 60128

FILED

OCT 23 2012

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

ORDER APPROVING DISCIPLINARY PANEL'S RECOMMENDATION
AND GRANTING MOTION

This petition by bar counsel is filed pursuant to SCR 111(4) regarding attorney Stephen B. Vogel. The petition is supported by documentation indicating that on June 30, 2011, in Collier County Court, Collier County, Florida, Vogel entered a plea of no contest to one count of DUI (first offense), a misdemeanor; and on July 7, 2011, in Las Vegas Township Justice Court, Vogel entered a plea of nolo contendere to DUI (first offense), a misdemeanor.¹ Vogel self-reported his convictions to bar

¹In Las Vegas, Vogel was subsequently convicted of reckless driving, a misdemeanor, after satisfying conditions imposed by the court.

counsel pursuant to SCR 111(2).²

The petition is further supported by documentation indicating that, pursuant to SCR 111(4), bar counsel investigated these matters, and that the matters were presented to a screening panel of the Southern Nevada Disciplinary Board with a recommendation that Vogel be placed in the diversion program pursuant to SCR 105.5 for a period of one year, subject to conditions. Finally, the petition is supported by documentation indicating that the panel agreed with the recommendation that Vogel be placed in the diversion program for one year, and that as a result, Vogel and bar counsel entered into a diversion agreement.


Having reviewed the petition and the panel's recommendation, we hereby approve the recommendation that Vogel be placed in the diversion program for one year, subject to conditions. SCR 111(4), (9). We decline to impose a temporary suspension at this time. SCR 111(9).

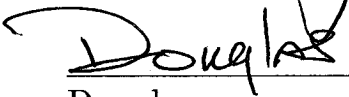
Pursuant to this court's order of September 10, 2012, bar counsel has filed a motion to seal the diversion program consent agreement and has attached the agreement to the motion. Cause appearing, we grant the motion. We direct the clerk of this court to detach

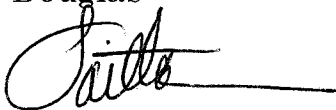
²Vogel's report of both convictions was untimely. See SCR 111(2). The cause for the delay was explained as a "misapprehension" of the reporting requirements on the part of Vogel's counsel.

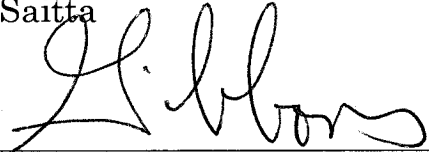
the diversion program consent agreement from the motion and file it separately, under seal, in this matter.

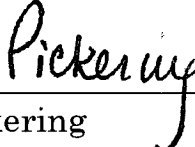
It is so ORDERED.


_____, C.J.
Cherry

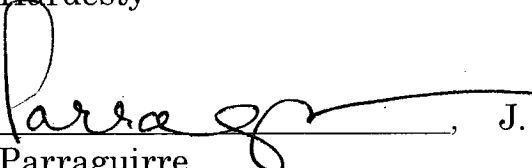

_____, J.
Douglas


_____, J.
Saitta


_____, J.
Gibbons


_____, J.
Pickering


_____, J.
Hardesty


_____, J.
Parraguirre

cc: David A. Clark, Bar Counsel
Jeffrey R. Albregts, Chair, Southern Nevada Disciplinary Board
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Michael J. Warhola, LLC