

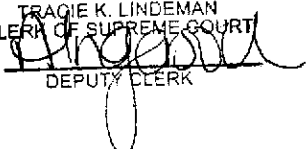
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE  
REINSTATEMENT OF DOUGLAS W.  
NICHOLSON,  
BAR NO. 3654.

No. 63642

**FILED**

MAR 11 2014

TRAGIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER*

This is a petition for reinstatement to the practice of law, pursuant to SCR 116, filed by suspended attorney Douglas W. Nicholson. In February 2012, this court suspended Nicholson for six months and one day. *See In re Discipline of Nicholson*, Docket No. 56184 (Order Approving Conditional Guilty Plea Agreement, February 9, 2012). On May 20, 2013, Nicholson filed a petition for reinstatement pursuant to SCR 116. On June 11, 2013, a hearing was held before a panel of the Northern Nevada Disciplinary Board. At the conclusion of the hearing, the panel issued its findings of fact, conclusions of law, and recommendation, recommending that Nicholson be reinstated to the practice of law.

The panel concluded that Nicholson largely completed the conditions precedent to petitioning for reinstatement, with the exception of repaying the cost of the disciplinary proceeding, which equated to \$1,718.50, at the time of the reinstatement hearing. However, after hearing testimony regarding Nicholson's inability to repay this cost, the panel accepted the parties' agreed-upon Payment Plan for Outstanding Costs (Payment Plan), which required Nicholson to pay \$200 each month,

starting in July 2013, until the balance was paid in full. The panel also found Nicholson had demonstrated by clear and convincing evidence that he satisfied the standards for reinstatement set forth in SCR 116. The panel recommended that (1) Nicholson's petition be granted, (2) the requirement of repayment be waived as a condition precedent, and (3) this repayment obligation become a condition concurrent with reinstatement, in accord with the Payment Plan.

Following the issuance of the panel's recommendations, the record of the reinstatement proceedings was filed in this court for our review. *See* SCR 116. Subsequently, the State Bar filed a notice of noncompliance, indicating that Nicholson only made one \$200 payment in July 2013. In response, this court ordered Nicholson to show cause why his petition should not be denied in light of his noncompliance with the Payment Plan. Nicholson replied that he submitted two checks to the State Bar, which satisfied the unpaid balance of the disciplinary hearing costs. After receiving Nicholson's checks, the State Bar filed a notice of compliance, reiterating that Nicholson has satisfied the unpaid balance.

It is undisputed that Nicholson did not satisfy the condition of repayment of the disciplinary proceeding costs prior to petitioning for reinstatement. However, because the parties indicate that Nicholson has now satisfied the unpaid balance, the condition of repayment appears to have been met. Thus, we will consider the merits of Nicholson's petition for reinstatement.

SCR 116(2) requires that an attorney seeking reinstatement must:

demonstrat[e] by clear and convincing evidence that he or she has the moral qualifications, competency, and learning in law required for

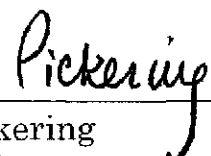
admission to practice law in this state, and that his or her resumption of the practice of law will not be detrimental to the integrity and standing of the bar, to the administration of justice, or to the public interest.


After careful consideration of the record, we conclude that clear and convincing evidence supports the panel's findings and conclusions. We therefore approve the panel's recommendation that the petition for reinstatement be granted.

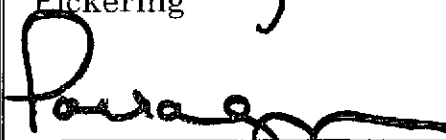
While we approve the panel's recommendation for reinstatement in the instant matter, we note that Nicholson is currently suspended for failure to meet his yearly continuing legal education requirements, failing to disclose required information, and failing to pay his bar dues. Thus, Nicholson must become current with each of these administrative requirements before he is reinstated to the practice of law. See SCR 213; SCR 78.5; SCR 79; SCR 98; NRS 7.034; NRS 425.520; RPC 6.1.

It is so ORDERED.

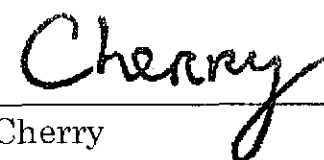
  
Gibbons, C.J.

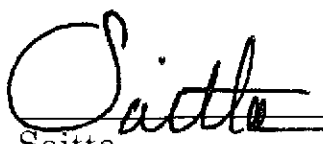
  
Pickering, J.

  
Hardesty, J.

  
Parraguirre, J.

  
Douglas, J.

  
Cherry, J.

  
Saitta, J.

cc: David A. Clark, Bar Counsel  
Thomas Susich, Chair, Northern Nevada Disciplinary Board  
Kimberly K. Farmer, Executive Director, State Bar of Nevada  
Douglas W. Nicholson, Esq.  
Perry Thompson, Admissions Office, United States Supreme Court