

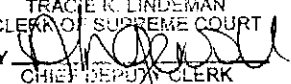
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
MARVIN WAYNE MURPHY, BAR NO.  
518.

No. 67896

FILED

SEP 25 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

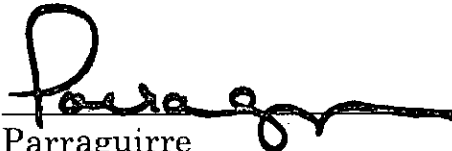
*ORDER DECLINING TO IMPOSE TEMPORARY SUSPENSION*


This is a petition by bar counsel under SCR 111(4) concerning attorney Marvin Wayne Murphy, based on Murphy's conviction in Reno Municipal Court, pursuant to a nolo contendere plea, of one count of first-offense driving under the influence, a misdemeanor. Murphy informed bar counsel of his conviction. *See* SCR 111(2). Because Murphy's conviction is not one of those specifically enumerated in SCR 111(6) as a "serious" crime, temporary suspension and referral to the disciplinary board are discretionary with this court. SCR 111(9).

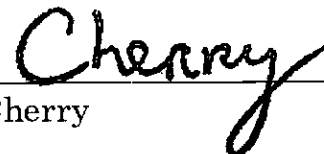
Although the seriousness of drinking and driving cannot be minimized, first-offense driving under the influence is not the type of offense for which professional discipline is typically imposed. 2 Geoffrey C. Hazard, Jr. & W. William Hodes, *The Law of Lawyering* § 69.04 (4th ed. 2015); *In the Matter of Respondent I*, 2 Cal. State Bar Ct. Rptr. 260, 266 n.6, 272 (Rev. Dept. 1993). Accordingly, having considered the petition and supporting documentation, we conclude that Murphy's offense

does not warrant the imposition of a temporary suspension or referral to the disciplinary board at this time.

It is so ORDERED.

 J.  
Parraguirre

 J.  
Douglas

 J.  
Cherry

cc: Bar Counsel, State Bar of Nevada  
State Bar of Nevada/Reno  
Roberto Puentes