

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
BRENT D. PERCIVAL, BAR NO. 3656.

No. 67971

**FILED**

SEP 25 2015

TRACY K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

*ORDER DECLINING TO IMPOSE TEMPORARY SUSPENSION*

This is a petition by bar counsel under SCR 111(4) concerning attorney Brent D. Percival, based on Percival's conviction in Las Vegas Township Justice Court, pursuant to a nolo contendere plea, of one count of first-offense driving under the influence, a misdemeanor.<sup>1</sup> Percival informed bar counsel of his conviction. *See* SCR 111(2). Because Percival'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).

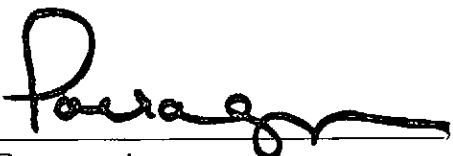
Although the seriousness of drinking and driving cannot be minimized, first-offense driving under the influence is not the type of offense for which professional discipline is typically imposed. 2 Geoffrey C. Hazard, Jr. & W. William Hodes, *The Law of Lawyering* § 69.04 (4th ed. 2015); *In the Matter 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 Percival's

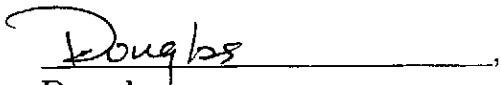
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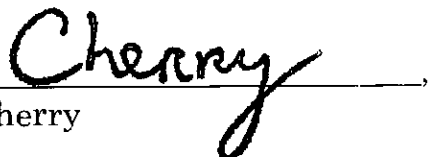
<sup>1</sup>Two other charges were dismissed—one for leaving the scene of an accident, and one for failure to yield to a bicycle.

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  
Brent D. Percival