

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF HAMILTON D.
MOORE.

No. 47062

FILED

APR 21 2006

JANETTE M. BLIKAN
CLERK OF SUPREME COURT
[Signature]
DEPUTY CLERK

ORDER OF TEMPORARY SUSPENSION

This is a petition by the Southern Nevada Disciplinary Board Chair for an order temporarily suspending attorney Hamilton D. Moore from the practice of law, pending the resolution of formal disciplinary proceedings against him.¹ The petition and supporting documentation demonstrate that Moore appears to have misappropriated approximately \$115,000 in client funds, and that he has lied to his client and made willful misrepresentations in court-filed documents in an effort to conceal his misappropriation. Moore, through counsel, filed a response to the petition, in which he admits that a temporary suspension is warranted. But Moore asks that this court permit him to seek employment in the public sector that will not involve any access to a client trust account.

SCR 102(4)(a) provides, in pertinent part:

¹This matter was originally docketed as confidential because a formal disciplinary complaint had not yet been filed. See SCR 121. Since we are granting the petition, we conclude that this matter should now be open to the public.

Effective Date: 11/8/06

Bar Number: 287

*immediately as to new clients, 15 days to wind down existing cases

06-08436

On the petition of a disciplinary board, signed by its chairman or vice chairman, supported by an affidavit alleging facts personally known to the affiant which shows that an attorney appears to be posing a substantial threat of serious harm to the public, the supreme court may issue an order, with notice as the court may prescribe, imposing an immediate temporary suspension of the attorney

In addition, SCR 102(4)(b) provides that this court may place restrictions on an attorney's handling of funds.

We conclude that the documentation before us demonstrates that Moore poses a substantial threat of serious harm, and that his immediate temporary suspension is warranted.² We further conclude that Moore's handling of funds should be restricted.³

Accordingly, Moore is temporarily suspended from the practice of law, pending the resolution of formal disciplinary proceedings against him.⁴ In addition, Moore shall be prohibited from withdrawing any funds from his client trust account, or from any other account containing funds belonging to third parties, except upon written approval of bar counsel or by order of a court of competent jurisdiction. The state bar shall


²See SCR 102(4)(a). We decline Moore's request to make an exception to this order for public sector employment.


³See SCR 102(4)(b).

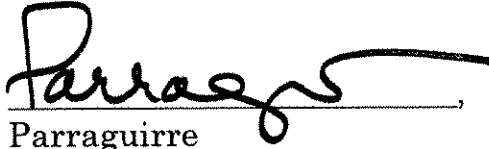
⁴Under SCR 102(4)(c), Moore is prohibited from accepting new clients immediately. He may continue to represent existing clients for fifteen days. Any fees or other funds received from or on behalf of clients during this fifteen-day period shall be deposited in a trust account, from which no withdrawals may be made except upon written approval of bar counsel or by order of a court of competent jurisdiction.

immediately serve Moore with a copy of this order. Such service may be accomplished by personal service, certified mail, delivery to a person of suitable age at Moore's law office or residence, or by publication. When served on either Moore or a depository in which he maintains an account, this order shall constitute an injunction against withdrawal of the proceeds except in accordance with the terms of this order.⁵

It is so ORDERED.⁶


_____, C.J.
Rose


_____, J.
Douglas


_____, J.
Parraguirre

cc: Howard Miller, Chair, Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Allen W. Kimbrough, Executive Director
John R. Lusk
Perry Thompson, Admissions Office,
Supreme Court of the United States

⁵See SCR 102(4)(b).

⁶Moore shall comply with SCR 115.

This is our final disposition of this matter. Any new proceedings concerning Moore shall be docketed under a new docket number.