

DISCIPLINARY QUARTERLY REPORT

Reporting Period: July 1, 2018 – September 30, 2018

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court5

Matter of Arash Kashanian, Esq., (No. S-1-SC-37007). The New Mexico Supreme Court issued an Order on July 9, 2018 indefinitely suspending Respondent from the practice of law for a minimum of one (1) year for filing frivolous claims. The Court ordered other requirements that Respondent must meet before petitioning for reinstatement. The Court also required Respondent to pay costs to the Disciplinary Board.

Matter of Ron Sanchez, Esq., (No. S-1-SC-37044). The New Mexico Supreme Court issued an Order on July 24, 2018 reinstating Respondent to the practice of law.

Matter of Marcos A. Gonzalez, Esq., (No. S-1-SC-35687). The New Mexico Supreme Court issued an order on September 13, 2018 reinstating Respondent to the practice of law on a probationary status for thirty (30) months.

Matter of Rosanna Vazquez, Esq., (No. S-1-SC-37130). The New Mexico Supreme Court issued an order on September 13, 2018 indefinitely suspending Respondent from the practice of law for a minimum of one (1) year for violations of failure to maintain an accurate IOLTA, general incompetence, and general neglect. The Court issued other requirements that Respondent must meet before petitioning for reinstatement. The Court also required Respondent to pay costs to the Disciplinary Board.

Matter of Les W. Sandoval, Esq., (No. S-1-SC-37161). The New Mexico Supreme Court issued an order on September 13, 2018 indefinitely suspending Respondent from the practice of law for a minimum of eighteen (18) months commencing on November 29, 2018, consecutive to the suspension imposed in cause number S-1-SC-36675, for violations of general neglect and failure to maintain and keep an IOLTA correctly. The Court issued other requirements Respondent must meet before petitioning for reinstatement. The Court also required Respondent to pay costs to the Disciplinary Board.

Summary Suspensions

Total number of attorneys summarily suspended.....0

Administrative Suspensions

Total number of attorneys administratively suspended.....0

Disability Suspensions

Total number of attorneys placed on disability suspension3

Matter of (Sealed matter) New Mexico Supreme Court entered an order placing Respondent on disability inactive status effective August 13, 2018. Pending disciplinary matters, if any, were stayed until Respondent is eligible for reinstatement.

Matter of (Sealed matter) New Mexico Supreme Court entered an order placing Respondent on disability inactive status effective September 6, 2018. Pending disciplinary matters, if any, were stayed until Respondent is eligible for reinstatement.

Matter of (Sealed matter) New Mexico Supreme Court entered an order placing Respondent on disability inactive status effective September 28, 2018. Pending disciplinary matters, if any, were stayed until Respondent is eligible for reinstatement.

Charges Filed

Charges were filed against an attorney for allegedly charging unreasonable fees/costs; failing to maintain client's funds in trust; failing to maintain complete records of all client funds; failing to maintain a written trust account plan; and failing to hold client funds separate from the lawyers' own property.

Charges were filed against an attorney for allegedly failing to provide competent representation to a client; failing to act with reasonable diligence and promptness in representing a client; and engaging in conduct that is prejudicial to the administration of justice.

Charges were filed against an attorney for allegedly failing to provide competent representation to a client; failing to represent a client diligently; failing to adequately communicate with a client; failing to expedite litigation; and engaging in conduct that is prejudicial to the administration of justice.

Charges were filed against an attorney for allegedly failing to provide competent representation to a client; failing to represent a client diligently; failing to adequately communicate with a client; failing to expedite litigation; and engaging in conduct that is prejudicial to the administration of justice.

Charges were filed against an attorney for allegedly failing to deposit unearned fees into trust and by failing to keep complete records of the property being held; and engaging in conduct that is prejudicial to the administration of justice.

Petition for Injunctive Relief Filed

Petitions for injunctive relief filed.....0

Petitions for Reciprocal Discipline Filed

Petitions for reciprocal discipline filed0

Reinstatement from Probation

Petitions for reinstatement filed0

Formal Reprimands

Total number of attorneys formally reprimanded4

Matter of Rozan Cruz, Esq. (Disciplinary No. 03-2017-758) a Formal Reprimand was issued at the Disciplinary Board meeting of September 14, 2018. The Formal Reprimand was published in the State Bar Bulletin issued September 26, 2018.

Matter of Jane Rocha de Gandara, Esq. (Disciplinary No. 08-2017-768) a Formal Reprimand was issued at the Disciplinary Board meeting of September 14, 2018. The Formal Reprimand was published in the State Bar Bulletin issued September 26, 2018.

Matter of James Klipstine, Esq. (Disciplinary No. 02-2018-776) a Formal Reprimand was issued at the Disciplinary Board meeting of September 14, 2018. The Formal Reprimand was published in the State Bar Bulletin issued September 26, 2018.

Matter of Roderick Juarez, Esq. (Disciplinary No. 04-2018-781) a Formal Reprimand was issued at the Disciplinary Board meeting of September 14, 2018. The Formal Reprimand was published in the State Bar Bulletin issued September 26, 2018.

Informal Admonitions

Total number of attorneys admonished6

An attorney was informally admonished for failing to provide competent representation to a client and failing to act with reasonable diligence and promptness in representing a client in violation of Rules 16-101 and 16-103 of the Rules of Professional Conduct.

An attorney was informally admonished for failing to provide competent representation to a client and failing to act with reasonable diligence and promptness in representing a client in

violation of Rule 16-103 of the Rules of Professional Conduct.

An attorney was informally admonished for failing to provide competent representation to a client; failing to make meritorious claims and contentions; making a false statement of fact or law to a tribunal; and making false statements of material fact or law to a third person; in violation of Rules 16-101, 16-301, 16-303(A), and 16-401 of the Rules of Professional Conduct.

An attorney was informally admonished for failing to provide competent representation to a client in violation of Rule 16-101 of the Rules of Professional Conduct.

An attorney was informally admonished for failing to provide competent representation to a client and failing to act with reasonable diligence and promptness in representing a client in violation of Rules 16-101 and 16-103 of the Rules of Professional Conduct.

An attorney was informally admonished for failing to provide competent representation to a client; failing to act with reasonable diligence and promptness in representing a client; failing to make reasonable efforts to expedite litigation consistent with the interests of the client; and engaging in conduct prejudicial to the administration of justice in violation of Rules 16-101, 16-103, 16-302, and 16-804(D) of the Rules of Professional Conduct.

Letters of Caution

Total number of attorneys cautioned13

Attorneys were cautioned for the following conduct: (1) overreaching excessive fees; (2) trust account violations (2 letters of caution issued); (3) lack of competence; (4) prosecutorial misconduct; (5) improper means (2 letters of caution issued); (6) improper withdrawal; (7) lack of competence; (8) lack of diligence (2 letters of caution issued); (9) conflict of interest; and (10) ex parte communication.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations.....	4
Conflict of Interest.....	7
Neglect and/or Incompetence.....	59
Misrepresentation or Fraud.....	11
Relationship with Client or Court.....	16
Fees.....	4
Improper Communications.....	5
Criminal Activity.....	0
Personal Behavior.....	3
Other.....	33
Total number of complaints received.....	148