

DISCIPLINARY QUARTERLY REPORT

Reporting Period: October 1, 2018 – December 31, 2018

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court4

Matter of Eric D. Dixon, Esq., (No. S-1-SC-37204). The New Mexico Supreme Court issued an Order on November 9, 2018 indefinitely suspending Respondent from the practice of law for a minimum of nine (9) months for violations of his duties of competence, candor, and meritorious filings, effective thirty (30) days from the date of the Supreme Court Order. 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 James T. Burns, Esq., (No. S-1-SC-36946). The New Mexico Supreme Court issued an Order on November 9, 2018 holding Respondent in Contempt of Court and indefinitely suspending Respondent from the practice of law for a minimum of ninety (90) days for failure to comply with Rule 17-212 NMRA and for failure to respond to the Disciplinary Board. 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 Daniel M. Salazar, Esq., (No. S-1-SC-37306). The New Mexico Supreme Court issued an order on November 9, 2018 indefinitely suspending Respondent from the practice of law for a minimum of one (1) year for failure to file Notice of Appeal in a criminal case and failure to communicate, effective thirty (30) days from the date of the Supreme Court Order. The New Mexico Supreme Court also issued an Order on December 19, 2018 holding Respondent in Contempt of Court and indefinitely suspending Respondent for an additional six (6) months for a period of time no less than eighteen (18) months for failure to comply with the Court’s November 9, 2018 Order, specifically, for failure to comply with Rule 17-212 NMRA. 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.

Summary Suspensions

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

Administrative Suspensions

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

Disability Inactive Status

Total number of attorneys placed on disability inactive states0

Charges Filed

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; failing to make reasonable efforts to expedite litigation; knowingly disobeying an obligation under the rules of a tribunal; and by 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 reprimanded0

Informal Admonitions

Total number of attorneys admonished1

An attorney was informally admonished for failing to provide reasonable consultations with the client about the means by which the client’s objectives are to be accomplished in violation of Rule 16-104(A)(2) of the Rules of Professional Conduct.

Letters of Caution

Total number of attorneys cautioned10

Attorneys were cautioned for the following conduct: (1) False statements to the Disciplinary Board; (2) improper means; (3) unauthorized practice of law (2 letters of caution issued); (4) conflict of interest; (5) trust account violations (2 letters of caution issued); (6) safekeeping funds; (7) failure to communicate; and (8) solicitation.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations.....	4
Conflict of Interest.....	12
Neglect and/or Incompetence.....	39
Misrepresentation or Fraud.....	16
Relationship with Client or Court.....	20
Fees.....	5
Improper Communications.....	3
Criminal Activity.....	0
Personal Behavior.....	6
Other.....	28
Total number of complaints received.....	133