

DISCIPLINARY QUARTERLY REPORT

Reporting Period: April 1, 2019 – June 30, 2019

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court2

Matter of Daniel M. Salazar, Esq., (No. S-1-SC-37306). The New Mexico Supreme Court issued an Opinion on May 16, 2019 in connection with its December 19, 2018 Order.

Matter of R. Nathan Gonzales, Esq., (No. S-1-SC-37581). The New Mexico Supreme Court issued an order on May 17, 2019 suspending Respondent from the practice of law, which was deferred, and Respondent was placed on probation for two (2) years for violations of Rules 16-115 and 17-204.

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 removed from disability inactive states1

Matter of (Sealed matter) New Mexico Supreme Court entered an order removing Respondent from disability inactive status and reinstating Respondent to active status.

Charges Filed

Charges were filed against an attorney for allegedly failing to provide competent representation; failing to act with reasonable diligence and promptness; failing to fully keep the client informed of the status of the matter; charging an unreasonable fee; failing to ensure an orderly termination of representation during the period when Respondent was no longer representing the client; and engaging in conduct prejudicial to the administration of justice.

Injunctive Relief

Total number of injunctions prohibiting the unauthorized practice of law0

Reciprocal Discipline

Total number of attorneys reciprocally disciplined0

Reinstatement from Probation

Petitions for reinstatement filed0

Formal Reprimands

Total number of attorneys formally reprimanded1

Matter of Jon C. Fredlund, Esq. (Disciplinary No. 2018-09-4415) a Formal Reprimand was issued at the Disciplinary Board meeting of April 19, 2019, for the violation of Rule 16-101, failing to provide competent representation to the client; Rule 16-103, failing to represent the client diligently; Rule 16-302, failing to expedite litigation; and Rule 16-804, engaging in conduct prejudicial to the administration of justice. The Formal Reprimand was published in the State Bar Bulletin issued May 1, 2019.

Informal Admonitions

Total number of attorneys admonished4

An attorney was informally admonished for failing to provide competent representation; failing to provide diligent representation; failing to expedite litigation; and engaging in conduct that is 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.

An attorney was informally admonished for engaging in communications with an unrepresented person without identifying themselves and using means that have no substantial purpose other than to embarrass, delay or burden a third person in violation of Rules 16-403 and 16-404 of the Rules of Professional Conduct.

An attorney was informally admonished for disclosing information related to the representation of a client without the client’s informed consent and prohibiting the revelation of information relating to former representation of a client except as otherwise permitted in violation of Rules 16-106 and 16-109(C)(2) of the Rules of Professional Conduct.

An attorney was informally admonished for failing to maintain complete records of all

client funds; failing to maintain client's fund in trust, and/or failing to hold client funds separate from the lawyers' own property; and failing to maintain a written trust account plan in violation of Rules 16-115(A), 17-204(A)(2), and 16-115(A)(C) of the Rules of Professional Conduct.

Letters of Caution

Total number of attorneys cautioned10

Attorneys were cautioned for the following conduct: (1) criminal conduct (2 letters of caution issued); (2) trust account violations; (3) failure to communicate; (4) disobey court order; (5) lack of diligence (3 letters of caution issued); (6) improper means; and (7) prosecutorial misconduct.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations.....	6
Conflict of Interest.....	5
Neglect and/or Incompetence.....	51
Misrepresentation or Fraud.....	13
Relationship with Client or Court.....	43
Fees.....	2
Improper Communications.....	1
Criminal Activity.....	2
Personal Behavior.....	4
Other.....	43
Total number of complaints received.....	170