

DISCIPLINARY QUARTERLY REPORT

Reporting Period: October 1, 2019 – December 31, 2019

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court4

Matter of Eric Morrow, Esq., (No. S-1-SC-37923). Pursuant to a Conditional Agreement Admitting the Allegations and Consenting to Discipline, the New Mexico Supreme Court issued an order on October 21, 2019 suspending Respondent from the practice of law for a period of eighteen (18) months, which was deferred, and Respondent was placed on supervised probation for that period of time for violations of Rules 16-101, 16-103, 16-104, 16-115(D), and 16-804(D).

Matter of J. Marcos Perales Pina, Esq., (No. S-1-SC-37402). The New Mexico Supreme Court issued an order on November 6, 2019 permanently disbaring Respondent from the practice of law. This matter was brought before the Court on an Order to Show Cause, Respondent was held in contempt for violating the Court’s order of March 8, 2019.

Matter of Rosanna C. Vazquez, Esq., (No. S-1-SC-37896). The New Mexico Supreme Court issued an order on December 9, 2019 permanently disbaring Respondent from the practice of law for violations of Rules 16-801, 16-804(C), and 16-804(D). Respondent was ordered to provide an accounting of all monies received, pay restitution, reimburse the Client Protection Fund, and pay costs to the Disciplinary Board.

Matter of Rafael Padilla, Esq., (No. S-1-SC-37594). The New Mexico Supreme Court issued an Opinion on December 19, 2019 in connection with its July 9, 2019 Order suspending Respondent from the practice of law.

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 states0

Charges Filed.....0

Injunctive Relief

Total number of injunctions prohibiting the unauthorized practice of law0

Reciprocal Discipline

Total number of attorneys reciprocally disciplined0

Reinstatement

Petitions for reinstatement filed0

Formal Reprimands

Total number of attorneys formally reprimanded2

Matter of Michael Garrett, Esq. (Disciplinary No. 2018-11-4420) a Formal Reprimand was issued at the Disciplinary Board meeting of October 11, 2019, for the violation of Rule 16-101, failing to provide competent representation to the client; Rule 16-107, engaging in representation that presented a concurrent conflict of interest; and Rule 16-804(D), engaging in conduct that is prejudicial to the administration of justice. The Formal Reprimand was published in the State Bar Bulletin issued October 30, 2019.

Matter of Daniel M. Faber, Esq. (Disciplinary No. 2018-12-4421) a Formal Reprimand was issued at the Disciplinary Board meeting of October 11, 2019, for the violation of Rule 16-115(D), by not promptly to a third person funds held under a letter of protection; Rule 16-115(E), not holding the funds received in an IOLTA until the dispute regarding the funds was resolved; and Rule 16-803(C), engaging in conduct involving dishonesty, fraud, deceit or misrepresentation. The Formal Reprimand was published in the State Bar Bulletin issued October 30, 2019.

Informal Admonitions

Total number of attorneys admonished0

Diversion

Total number of attorneys referred to diversion0

Letters of Caution

Total number of attorneys cautioned9

Attorneys were cautioned for the following conduct: (1) Failure to pay on LOP; (2) prosecutorial misconduct; (3) lack of competence; (4) conflict of interest (2 letters of caution issued); (5) disruption of a tribunal; (6) improper statements about Judge’s integrity; (7) improper means; and (8) lack of diligence – failure to expedite.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations.....	0
Conflict of Interest.....	19
Neglect and/or Incompetence.....	57
Misrepresentation or Fraud.....	9
Relationship with Client or Court.....	31
Fees.....	6
Improper Communications.....	4
Criminal Activity.....	0
Personal Behavior.....	2
Other.....	30
Total number of complaints received.....	158