

In the Matter of Hector A. Montoya , Bar No: 015499, Supreme Court No. SB-10-0131-D. *Attorney Suspended, Probation and Costs imposed.*

By Arizona Supreme Court judgment and order dated February 8, 2011, Hector A. Montoya, 55 W. Franklin, Tucson, was suspended for 30 days and placed on two years of probation. He was also assessed the costs and expenses of the disciplinary proceeding.

In Count One, Respondent overdrew his client trust account. A subsequent review of Respondent's IOLTA by the State Bar revealed additional trust account violations.

In Count Two, Respondent was convicted of Facilitation to Commit Money Laundering in the Second Degree, a class six undesignated felony. Respondent engaged in conduct involving dishonesty, fraud deceit or misrepresentation and such conduct was prejudicial to the administration of justice.

Aggravating factors: substantial experience and illegal conduct.

Mitigating factors: absence of prior discipline, absence of a dishonest or selfish motive, good-faith effort to rectify the consequences of misconduct, full and free disclosure, and character and reputation.

Respondent violated Rule 42, Ariz. R. Sup. Ct., ERs 1.15, 8.4(c) and 8.4(d); Rule 43(a) and (d), Ariz. R. Sup. Ct.; and Rule 44(b), Ariz. R. Sup. Ct.