

SUPREME COURT OF ARIZONA

In the Matter of a Nonmember of ) Arizona Supreme Court  
the State Bar of Arizona ) No. SB-16-0022-AP  
)  
MARINA N. ALEXANDROVICH, ) Office of the Presiding  
) Disciplinary Judge  
Respondent. ) No. PDJ20159074  
)  
\_\_\_\_\_ ) **FILED 3/15/2017**

O R D E R

Pursuant to Rule 59, Rules of the Supreme Court, Respondent appealed the hearing panel's Decision and Order Imposing Sanctions and the panel's and presiding disciplinary judge's decisions to deny a number of post-hearing motions. In particular, Respondent appealed the presiding disciplinary judge's denial of her motion to disqualify panel member Robert Brooks. Upon consideration the Court concludes that, because the motion to disqualify panel member Brooks, along with its supporting documentation, raised substantial questions about whether he should be replaced as a panel member under Rule 52(g), the presiding disciplinary judge erred in denying the motion without considering a response from Mr. Brooks or otherwise further developing the relevant evidence. Accordingly,

**IT IS ORDERED** suspending this appeal and revesting jurisdiction to allow the presiding disciplinary judge to:

- (1) reconsider the motion to disqualify in light of any response Mr. Brooks wishes to submit and such evidence as the judge, in his discretion, may choose to consider; and

(2) in the event the presiding disciplinary judge concludes that Mr. Brooks should have been replaced, or if Mr. Brooks now elects to recuse himself from further proceedings in this matter, Respondent's Rule 47(j) motion shall be reconsidered by a new hearing panel in which Mr. Brooks is replaced by another volunteer attorney member.

**IT IS FURTHER ORDERED** that the Disciplinary Clerk will notify the Clerk of the Court when the matter is concluded and transmit any additional record.

DATED this 15<sup>th</sup> day of March, 2017.

\_\_\_\_\_/s/\_\_\_\_\_  
SCOTT BALES  
Chief Justice

TO:

Mark I Harrison

Brian K Mosley

Jana Lynn Sutton

Robert B Van Wyck

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