

SUPREME COURT OF ARIZONA

IN THE MATTER OF A SUSPENDED )  
MEMBER OF THE STATE BAR OF )  
ARIZONA )  
)  
**O. MARK MARQUEZ,** )  
**Bar No. 001627** )  
)  
)  
RESPONDENT. )

Supreme Court  
No. SB-03-0072-D  
  
Disciplinary Commission  
No. 01-0370

**JUDGMENT AND ORDER**

This matter having come on for hearing before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision and no discretionary or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that **O. MARK MARQUEZ**, a suspended member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of thirty (30) days, effective thirty (30) days from the date of this Judgment and Order, for conduct in violation of his duties and obligations as a lawyer.

IT IS FURTHER ORDERED that **O. MARK MARQUEZ** shall be placed on probation for a period of one (1) year under the following terms and conditions:

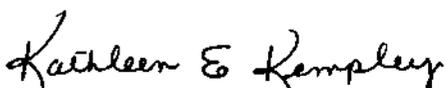
- 1) Respondent shall write a letter of apology to the Complainant acknowledging the wrongful nature of his conduct.
- 2) Respondent shall contact the Director of the Member Assistance Program (MAP) within thirty (30) days of the effective date of his probation and shall enter into a MAP contract requiring him to participate in a course of treatment as developed by the Director of MAP and Respondent's therapist.
- 3) In the event Respondent fails to comply with any of the foregoing terms, and information thereof is received by the State Bar, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance. The Hearing Officer shall conduct a hearing at the earliest possible date, but in no event later than thirty (30) days following receipt of notice, to determine whether a condition of probation has been breached and, if so, to recommend an appropriate sanction.
- 4) If there is an allegation that Respondent failed to comply with any of the foregoing terms, the burden of proof shall be on the State Bar to prove non-compliance by a preponderance of the evidence.

IT IS FURTHER ORDERED that O. MARK MARQUEZ shall pay the costs and expenses of these proceedings in the amount of \$870.70, together with interest at the legal rate from the date of this judgment.

IT IS FURTHER ORDERED that Respondent shall pay in full any and all claims paid by the Client Protection Fund, not to exceed the maximum permissible payment of \$100,000.00.

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 63, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 63(a), which requires that Respondent notify all of his clients, within ten (10) days from the date hereof, of his inability to represent them and that he should promptly inform this Court of his compliance with this Order as provided in Rule 63(d).

DATED this 1st day of July, 2003.

  
KATHLEEN E. KEMPLEY, Chief Deputy

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST  
Noel K. Dessaint, Clerk of the Supreme Court  
State of Arizona  
By  Deputy

TO:

O. Mark Marquez, Respondent (Certified Mail, Return Receipt)  
Gilbert Veliz, Respondent's Counsel  
Robert A. Clancy, Jr., Bar Counsel, State Bar of Arizona  
David H. Lieberthal, Hearing Officer 9H  
Douglas M. Brooks, Clerk, Disciplinary Commission (Cert. Copy)  
Dee Steadman, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)  
William Suter, Clerk, United States Supreme Court (Cert. Copy)  
Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)  
Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)  
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