

**FILED**

OCT - 9 2003

DISCIPLINARY COMMISSION OF THE  
SUPREME COURT OF ARIZONA

BY *[Signature]*

**BEFORE THE DISCIPLINARY COMMISSION  
OF THE SUPREME COURT OF ARIZONA**

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IN THE MATTER OF A MEMBER )  
OF THE STATE BAR OF ARIZONA, )

No. 01-1902

**DANIEL E. POHTO,**  
Bar No. 020266

**DISCIPLINARY COMMISSION  
REPORT**

RESPONDENT.

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on September 13, 2003, pursuant to Rule 56(a), Ariz. R. S. Ct., for consideration of the Tender of Admissions and Agreement for Discipline by Consent (Agreement) and Joint Memorandum in Support of Agreement for Discipline by Consent (Joint Memorandum) filed June 30, 2003, providing for a six month and one day suspension and costs of these disciplinary proceedings. Respondent and counsel for the State Bar were present.

**Decision**

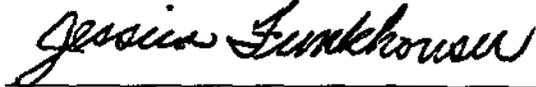
The nine members of the Commission unanimously recommend accepting and incorporating by reference the Agreement<sup>1</sup> and Joint Memorandum providing for a six month and one day suspension and costs. In the event Respondent desires to seek reinstatement, he shall do so pursuant to Rule 71(d), Ariz. R. S. Ct. The Commission strongly urges Respondent to seek appropriate treatment for his alcohol related issues.

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<sup>1</sup> At oral argument, Bar Counsel advised the Commission that standard language regarding Rule 63 was inadvertently excluded from the Agreement. The parties agree that Respondent shall comply with Rule 63 requirements.

1 During reinstatement proceedings he will be required to demonstrate a long and sustained  
2 period of recovery.

3 RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of October 2003.

4 

5 Jessica G. Funkhouser, Chair  
6 Disciplinary Commission

7 Original filed with the Disciplinary Clerk  
8 this 9<sup>th</sup> day of October 2003.

9 Copy of the foregoing mailed  
10 this 9<sup>th</sup> day of October 2003 to:

11 Michael L. Rubin  
12 Hearing Officer 7K  
13 230 Anderson Road  
14 Prescott, AZ 86303-3755

15 Daniel E. Pohto  
16 Respondent  
17 17695 W. Cocoraque Lane  
18 Marana, AZ 85653-0001

19 Copy of the foregoing hand-delivered  
20 this 9<sup>th</sup> day of October 2003 to:

21 Shauna R. Miller  
22 Senior Bar Counsel  
23 State Bar of Arizona  
24 111 West Monroe, Suite 1800  
25 Phoenix, AZ 85003-1742

26 By K. Weizand

/kdl