

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA
BY *K. Reigand*

IN THE MATTER OF A SUSPENDED MEMBER) No. 02-2229
OF THE STATE BAR OF ARIZONA,)
)
ALEXANDER L. SIERRA,)
Bar No. 009295)
)
DISCIPLINARY COMMISSION
)
)
REPORT
)
RESPONDENT.)
_____)

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on February 21, 2004, pursuant to Rule 58(e), Ariz. R. S. Ct., for consideration of the Hearing Officer's Report filed November 21, 2003, recommending disbarment, restitution, and costs of these disciplinary proceedings. Respondent filed an objection to costs. The State Bar filed a response and conceded to a reduction in costs of \$102.58.

Decision

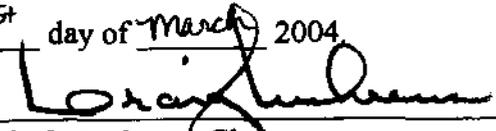
The Commission's standard of review is set forth in Rule 58(b), which states that the Commission reviews questions of law *de novo*. In reviewing findings of fact made by a hearing officer, the Commission applies a clearly erroneous standard.

Therefore, having found no findings of fact clearly erroneous, the eight¹ members of the Commission unanimously recommend adopting and incorporating by reference the Hearing Officer's findings of fact, conclusions of law, and recommendation for disbarment,

¹ Commissioner Choate did not participate in these proceedings. Bruce G. MacDonald, a hearing officer from Tucson, participating as an ad hoc member, recused.

1 restitution to client Ester Loya in the amount of \$1,632.95, and costs² of these disciplinary
2 proceedings.

3 RESPECTFULLY SUBMITTED this 1st day of March 2004

4 
5 _____
6 Craig B. Mehrens, Chair
7 Disciplinary Commission

8 Original filed with the Disciplinary Clerk
9 this 1st day of March 2004.

10 Copy of the foregoing mailed
11 this 1st day of March 2004 to:

12 Bruce G. MacDonald
13 Hearing Officer 6M
14 1670 East River Road, Suite 200
15 Tucson, AZ 85718

16 Alexander L. Sierra
17 Respondent
18 255 North Granada Avenue, #1046
19 Tucson, AZ 85071

20 Copy of the foregoing hand-delivered
21 this 1st day of March 2004 to:

22 Christine M. Powell
23 Bar Counsel
24 State Bar of Arizona
25 111 West Monroe, Suite 1800
26 Phoenix, AZ 85003-1742

By K. Weigand

/mps

² The Commission reduced the costs by \$102.58. Total costs and expensed incurred by the State Bar reflect \$2,000.