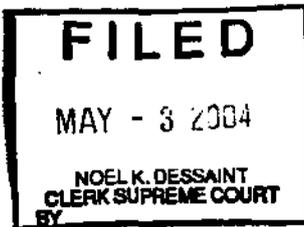


SUPREME COURT OF ARIZONA



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

) Supreme Court
) No. SB-04-0053-D
)
) Disciplinary Commission
) No. 02-2156

DENNIS P. BAYLESS,
Bar No. 012052

RESPONDENT.

) 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 review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that DENNIS P. BAYLESS, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that DENNIS P. BAYLESS shall be placed on probation for a period of one (1) year. The terms of probation are as follows:

- 1) Respondent shall submit to the State Bar an educational article describing his conduct in this matter and compliance with Rule 64, Ariz. R. S. Ct.
- 2) Respondent shall submit a written payment plan for restitution to client Webb and Pinal County Superior Court as ordered in *Matter of Bayless*, SB-02-0035-D (2002) within thirty (30) days of the date of this Order.
- 3) The probation period in this instant matter and in File No. SB-02-0038-D (2002) may be extended until the restitution in SB-02-0038-D (2002) is paid in full, pursuant to Rule 60(5)(a).
- 4) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz. R. S. Ct. The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **DENNIS P. BAYLESS** for costs and expenses of these proceedings in the amount of \$754.30, together with interest at the legal rate from the date of this judgment.

DATED this 3rd day of May, 2004.



NOEL K. DESSAINT
Clerk of the Court

TO:

Dennis P. Bayless, Respondent (Certified Mail, Return Receipt)
John P. Bruno, Respondent's Counsel
Shauna R. Miller, Senior Bar Counsel
J. Conrad Baran, Hearing Officer 8M
Douglas M. Brooks, Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (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)
West Publishing Company (Jode Ottman)
Lexis/Nexis

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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 Court
State of Arizona

By Karen Gehring Deputy