

SUPREME COURT OF ARIZONA

FILED
FEB 12 2004
NOEL K. DESSAINT
CLERK SUPREME COURT
BY

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

) Supreme Court
) No. SB-03-0163-D
)
) Disciplinary Commission
) Nos. 02-1649, 02-1949, 03-0058, 03-0217

DAVID W. COUNCE,
Bar No. 010822

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 or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that DAVID W. COUNCE, a suspended member of the State Bar of Arizona, is hereby disbarred from the practice of law effective the date of this order, for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(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 72(e).

IT IS FURTHER ORDERED that Respondent shall comply with all rule provisions regarding reinstatement proceedings.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against DAVID W. COUNCE for costs and expenses of these proceedings in the amount of \$1,059.63, together with interest at the legal rate from the date of this judgment.

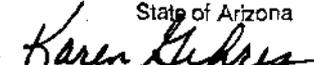
DATED this 12th day of February, 2004.



NOËL K. DESSAINT, Clerk

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:

David W. Counce, Respondent (Certified Mail, Return Receipt)

Shauna R. Miller, Senior Bar Counsel

Patricia E. Nolan, Hearing Officer 7Y

Douglas M. Brooks, Clerk, Disciplinary Commission (Cert. Copy)

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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