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DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA
BY *[Signature]*

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

IN THE MATTER OF AN INACTIVE MEMBER)
OF THE STATE BAR OF ARIZONA,)

Nos. 03-0043, 03-1282, 04-0339
04-0995, 04-2149

MARK L. JOHNSON,
Bar No. 019505

**DISCIPLINARY COMMISSION
REPORT**

RESPONDENT.)

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on October 15, 2005, pursuant to Rule 58, Ariz. R. S. Ct., for consideration of the Hearing Officer's Report filed June 21, 2005 recommending acceptance of the Tender of Admissions and Agreement for Discipline by Consent (Tender) and Joint Memorandum in Support of Agreement for Discipline by Consent (Joint Memorandum) providing for a six-month and one-day suspension retroactive to May 20, 2005, probation upon reinstatement (length and terms to be determined upon reinstatement), restitution, and costs of these disciplinary proceedings.

Decision

The nine¹ members of the Disciplinary Commission recommend accepting and adopting the Hearing Officer's findings of fact, conclusions of law, and recommendation for a six-month and one-day suspension retroactive to May 20, 2005, probation upon reinstatement (length and

¹ Commissioner Gutierrez concurred, but was opposed to retroactivity.

terms to be determined upon reinstatement), restitution to Nancy and Andres Palma in the amount of \$250.00, and costs of these disciplinary proceedings.²

RESPECTFULLY SUBMITTED this 14th day of November, 2005.

Cynthia L. Choate, Chair
Disciplinary Commission

Original filed with the Disciplinary Clerk
this 14th day of November, 2005.

Copy of the foregoing mailed
this 14th day of November, 2005, to:

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² The Hearing Officer's Report is attached as Exhibit A.