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FEB 15 2006

DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA

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

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3	IN THE MATTER OF A MEMBER)	No. 04-1761
4	OF THE STATE BAR OF ARIZONA,)	
5	BARRY G. NELSON,)	
6	Bar No. 006746)	DISCIPLINARY COMMISSION
7)	REPORT
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This matter came before the Disciplinary Commission of the Supreme Court of Arizona on January 21, 2006, pursuant to Rule 58, Ariz. R. S. Ct., for consideration of the Hearing Officer's Report filed October 24, 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 censure, restitution within 30 days of the effective date of the final judgment and order, and costs of these disciplinary proceedings.

Decision

The nine members of the Disciplinary Commission unanimously recommend accepting and adopting the Hearing Officer's findings of fact, conclusions of law, and recommendation for censure, restitution within 30 days of the effective date of the final judgment and order, and costs of these disciplinary proceedings.¹ Restitution is as follows:

¹ The Hearing Officer's Report is attached as Exhibit A.

Restitution

1 Randy Jumper \$250.00

2 RESPECTFULLY SUBMITTED this 15th day of February, 2006.

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5 _____
6 Barbara A. Atwood, Chair
7 Disciplinary Commission

8 Original filed with the Disciplinary Clerk
9 this 15th day of February, 2006.

10 Copy of the foregoing mailed
11 this 15th day of February, 2006, to:

12 Dwight M. Whitley, Jr.
13 Hearing Officer 9I
14 33 N. Stone, Suite 2100
15 Tucson, AZ 85701-1415

16 Barry G. Nelson
17 Respondent
18 *West, Christoffel and Zickerman, P.L.L.C.*
19 2870 North Swan, Suite 100
20 Tucson, AZ 85712-6303

21 Maret Vessella
22 Deputy Chief Bar Counsel
23 State Bar of Arizona
24 4201 North 24th Street, Suite 200
25 Phoenix, AZ 85016-6288

26 by: K Weigand

/kw