

**FILED**  
NOV 22 2006  
NOEL K. DESSAINT  
CLERK SUPREME COURT

**SUPREME COURT OF ARIZONA**

IN THE MATTER OF A MEMBER	)	Supreme Court
OF THE STATE BAR OF ARIZONA,	)	No. SB-06-0163-D
	)	
	)	Disciplinary Commission
	)	No. 04-0666
<b>RONALD J. ELLETT,</b>	)	
<b>Bar No. 012697</b>	)	
	)	
<b>RESPONDENT.</b>	)	<b>JUDGMENT AND ORDER</b>
_____		

This matter having come on for hearing before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision and there having been no discretionary review,

IT IS ORDERED, ADJUDGED AND DECREED that **RONALD J. ELLETT**, 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 **RONALD J. ELLETT** shall be placed on probation for a period of one (1) year. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins. The terms of probation are as follows:

- 1) Respondent shall within thirty (30) days of the final Judgment and Order contact the State Bar's Law Office Management Assistance Program (LOMAP) and schedule an audit of his office. The LOMAP director or designee will conduct an audit no later than sixty (60) days thereafter. Following the audit, Respondent shall enter into a Memorandum of Understanding (MOU) that will be effective for a period of one (1) year from the date upon which all parties have signed the MOU.
- 2) Respondent will follow all the Rules of Professional Conduct and all Trust Account Guidelines.
- 3) Respondent shall pay all costs incurred by the State Bar of Arizona in these proceedings, including the LOMAP assessment.

- 4) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information to that effect, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz. R. Sup. 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 RONALD J. ELLETT shall pay restitution in the following amount to the following individuals:

Michael and Susan Wade      \$1,975.00

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against RONALD J. ELLETT for costs and expenses of these proceedings in the amount of \$2,545.75, together with interest at the legal rate from the date of this judgment.

DATED this 22nd day of November, 2006.

The foregoing instrument is a full, true and correct copy of the original on file in this office.

By Noel K. Dessaint, Clerk of the Supreme Court  
State of Arizona

By Lisha Garcia, Deputy

  
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NOEL K. DESSAINT  
Clerk of the Court

TO:

Ronald J. Ellett, Respondent (Certified Mail, Return Receipt and Regular Mail)  
J.Scott Rhodes, Respondent's Counsel  
Clarence E. Matherson, Jr., Bar Counsel  
JoAnn P.Garcia, Hearing Officer #8U  
Lauren E. Eiler, 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)  
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