FILED
MAY 24 2006
NOEL K. DESSAINT
CLERK SUPREME COURT
BY

**SUPREME COURT OF ARIZONA**

| | | |
|---|---|---|
| IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA, | ) | Supreme Court No. SB-06-0046-D |
| | ) | Disciplinary Commission Nos. 03-2107, 04-1409 |
| **FREDERICK C. HICKLE, Bar No. 003552** | ) | |
| 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, there having been no discretionary review and *sua sponte* review having been declined by the Court,

IT IS ORDERED, ADJUDGED AND DECREED that **FREDERICK C. HICKLE**, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of four (4) months, effective thirty (30) days from the date of this judgment and 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 **FREDERICK C. HICKLE** shall be placed on probation for a period of one (1) year effective upon the signing of the probation contract. 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 start of the probation period, contact the director of the State Bar's Law Office Management Assistance Program (LOMAP). Respondent shall enter into a probation contract that will be effective for a period of one (1) year from the date Respondent signs the probation contract. Respondent shall comply with all recommendations of the LOMAP director or designee.

2) 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. 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.

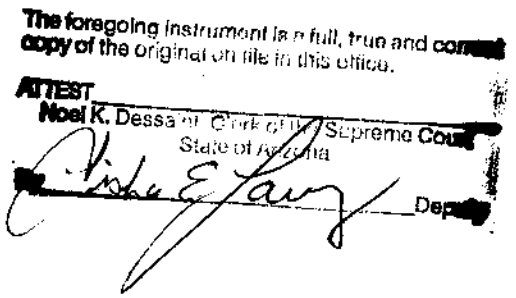
IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(a), which requires that Respondent notify all of his clients, within ten (10) days from the date hereof, of his inability to represent them 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 **FREDERICK C. HICKLE** for costs and expenses of these proceedings in the amount of $787.75, together with interest at the legal rate from the date of this judgment.

DATED this 24th day of May, 2006.

NOEL K. DESSAINT
Clerk of the Court

TO:
Frederick C. Hickle, Respondent (Certified Mail, Return Receipt and Regular Mail)
Thomas A. Zlaket, Respondent's Counsel
Ariel I. Worth, Bar Counsel
Pamela M. Katzenberg, Hearing Officer 7T
Nancy Swetnam, Acting 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

tel