

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,

) Supreme Court
) No. SB-05-0003-D
)
) Disciplinary Commission
) Nos. 02-1070, 02-1628, 02-2066

JOHN THOMAS BANTA,
Bar No. 010550

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 this Court having considered Respondent's petition for review, accordingly

IT IS ORDERED that the petition for review is denied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that JOHN THOMAS BANTA, 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 JOHN THOMAS BANTA shall be placed on probation for a period of one (1) year. The terms of probation are as follows:

- 1) Respondent shall be placed on one year of probation (MAP) effective the date of the signing of the probation contract, and shall pay all costs and expenses associated with the compliance of the probation terms, including those incurred by the State Bar as a result of the administration and enforcement of those terms.
- 2) Respondent shall contact the Director of MAP within 30 days of the final Judgment and Order and submit to an assessment. Respondent thereafter will enter into a MAP contract based upon recommendations made by the MAP Director or designee.
- 3) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, 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.

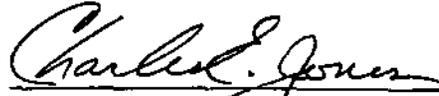
IT IS FURTHER ORDERED that Respondent shall be assessed costs and expenses of the disciplinary proceedings as provided in Rule 60(b).

DATED this 23rd day of March, 2005
The foregoing instrument is a true and correct copy of the original on file in this office.

ATTEST

Noel K. Dessafra, Clerk of the Supreme Court
State of Arizona

By Lillian Behrens Deputy



CHARLES E. JONES
Chief Justice

TO:

John Thomas Banta, Respondent (Certified Mail, Return Receipt)
Shauna R. Miller, Senior Bar Counsel
Martin Lieberman, Hearing Officer 7W
Patricia Seguin, 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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