

**In the Matter of Alfonso Barrera, Bar No. 006147, PDJ-2012-9013
filed February 14, 2012. Attorney Reprimanded and Costs imposed.**

Pursuant to Rule 57(a), Ariz.R.Sup.Ct, the presiding disciplinary judge accepted an agreement for discipline by consent submitted by the parties and reprimanded Respondent Alfonso Barrera Jr. of Henderson, Nevada.

On October 28, 1997, the New Mexico Supreme Court sanctioned Respondent for violating provisions of New Mexico's Code of Professional Conduct that are the equivalent of Arizona's Rule 42, Ariz. R. Sup. Ct., ERs 1.1, 1.2(a), 1.3, 1.4(a), 1.5(a), 1.16(d), 8.1(a), 8.1(b) and 8.4(d), and a rule for which there is no current Arizona counterpart (conduct reflecting adversely on his fitness to practice law). Respondent moved to Nevada and changed his New Mexico status to inactive due to his poor health. The New Mexico court deferred his suspension for three years and probation which included restitution in the amount of \$6,478. See *In the Matter of Alfonso Barrera, Jr.*, 124 N.M. 220, 947 P.2d 495 (1997).

On February 23, 1998, the U.S. Supreme Court ordered that Respondent be disbarred. See *In the Matter of Disbarment of Alfonso Barrera, Jr.*, 522 U.S. 1103 (1998). In addition, on May 21, 1998, the New Mexico Supreme Court issued an order to show cause regarding his failure to pay restitution as ordered in 1997. Thereafter, on June 10, 1998, that court extended Mr. Barrera's deferred suspension for an additional six months to April 1, 2001. Respondent fully satisfied the restitution in 2002.

Respondent negligently failed to notify the State Bar of Arizona and the Arizona Supreme Court disciplinary clerk that he had been sanctioned. He asserted that, at the time, he was preoccupied with multiple serious health issues, shutting down his New Mexico law firm, moving to Nevada and enduring a long convalescence. He also asserted that he was simply unaware of his obligations under former Rule 58.

No Aggravating factors were found. Mitigating factors included: Absence of dishonest or selfish motive, full and free disclosure to disciplinary board or cooperative attitude toward proceedings, and physical or mental disability or impairment.

Respondent Barrera violated Rule 42, Ariz. R. Sup. Ct., specifically former Rule 58, Ariz. R. Sup. Ct., since re-numbered Rule 57(b).