

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**VERNON E. PELTZ,**  
**Bar No. 014244**

Respondent.

**No. PDJ-2016-9124**

**FINAL JUDGMENT AND  
ORDER**

[State Bar No. 16-1359]

**FILED JUNE 7, 2017**

The decision of the hearing panel was filed with the disciplinary clerk on May 16, 2017. The time for appeal has passed and no appeal has been filed.

Now Therefore,

**IT IS ORDERED** Respondent, **VERNON E. PELTZ, Bar No. 014244**, is suspended from the practice of law for two (2) years effective retroactive to July 15, 2016, the date of Mr. Peltz's interim suspension.

**IT IS FURTHER ORDERED** during the period of suspension, Mr. Peltz shall comply with his criminal probation.

**IT IS FURTHER ORDERED** Mr. Peltz shall immediately comply with the requirements relating to notification of clients and others, and provide and/or file all notices and affidavits required by Rule 72, Ariz. R. Sup. Ct.

**IT IS FURTHER ORDERED** Mr. Peltz shall pay all costs and expenses incurred by the State Bar in these proceedings. There are no costs or expenses incurred by the Office of the Presiding Disciplinary Judge.

**DATED** this 7th day of June, 2017.

*William J. O'Neil*

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**William J. O'Neil, Presiding Disciplinary Judge**

COPY of the foregoing e-mailed/mailed  
this 7th day of June, 2017 to:

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Respondent

by: AMcQueen

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**VERNON E. PELTZ,**  
**Bar No. 014244**

Respondent.

**PDJ-2016-9124**

**DECISION AND ORDER  
IMPOSING SANCTIONS**

[State Bar No. 16-1359]

**FILED MAY 16, 2017**

On April 6, 2017, the Hearing Panel, comprised of Harlan J. Crossman, Attorney Member, Anne B. Donahoe, Public Member, and the Presiding Disciplinary Judge (PDJ) William J. O’Neil, heard this matter. Shauna R. Miller appeared on behalf of the State Bar of Arizona. Vernon E. Peltz represented himself. Exhibits 1-11, 18, and 24-26 were admitted. Exhibit 11 was sealed. At the conclusion of the hearing, the State Bar requested a long term suspension or disbarment. Mr. Peltz admits he has a felony which is grounds for discipline under Rule 54(g), but asserts because his criminal conviction is not considered a serious crime and does not reflect adversely on his honesty, trustworthiness or fitness as a lawyer in other respects a severe sanction is not needed to protect the public.

**I. SANCTION IMPOSED**

**TWO (2) YEAR SUSPENSION COMMENCING WITH IMPOSITION  
OF INTERIM SUSPENSION AND COSTS**

## **II. PROCEDURAL HISTORY**

On December 4, 2015, after a jury trial, Mr. Peltz was found guilty of aggravated assault, temporary/substantial disfigurement, a class four felony and assault, a class two misdemeanor. Mr. Peltz admits he intentionally did not report his felony conviction to the State Bar as required under Rule 61(c)(1), Ariz. R. Sup. Ct.<sup>1</sup> On July 15, 2016, in PDJ-2016-9064, Mr. Peltz was placed on interim suspension until further order pursuant to Rule 61(c)(1)(A). A Probable Cause Order issued August 31, 2016.

The formal complaint was filed on December 6, 2016. It alleges Mr. Peltz violated Rule 42, ERs, 8.4(b) (misconduct to commit a criminal act), 8.4(c) (misconduct to engage in dishonesty, fraud, deceit or misrepresentation), 8.4(d) (misconduct that is prejudicial to the administration of justice), Rule 54(g) (a lawyer shall be disciplined as warranted for conviction of any felony), and Rule 61(c)(1) (a lawyer convicted of a felony has twenty days to report the conviction to chief bar counsel).

On December 7, 2016, the State Bar filed a notice of service of the complaint certifying Mr. Peltz was served by certified, delivery restricted mail, and by regular first class mail, pursuant to Rules 47(c) and 58(a)(2), Ariz. R. Sup. Ct. Mr. Peltz filed

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<sup>1</sup> Unless otherwise stated, rule references are to Ariz. R. Sup. Ct.

his answer on December 21, 2016. In his answer Mr. Peltz admitted all paragraphs except paragraph 3. He affirmatively alleged the injuries to his mother “were minor.” An initial case management conference (ICMC) was conducted on January 11, 2017. A notice of settlement was filed on February 7, 2017. Case management deadlines were vacated and the parties were ordered to file their Agreement by March 2, 2017. No agreement was forthcoming.

March 1, 2017, the State Bar moved to reset the hearing and alleged Mr. Peltz failed to file his disclosure statement and did not participate in good faith in the drafting of the settlement agreement. Mr. Peltz filed no response. The motion was granted on March 22, 2017 and a status conference scheduled.

On March 29, 2017, Mr. Peltz moved to enforce the settlement agreement stating he conditionally agreed to a violation of Rule 54(g) based solely on his felony conviction but agreed to no conditional admissions regarding any details of the felony conviction. The State Bar filed its response on March 31, 2017 urging the motion be denied. By Order of the PDJ filed April 3, 2017, Mr. Peltz’s motion to enforce settlement agreement was denied.

Because of the lack of cooperation, no joint prehearing statement was filed. Neither party was required to file a prehearing memorandum. Mr. Peltz filed no prehearing memorandum. The State Bar filed its prehearing memorandum on March 31, 2017. The State Bar in its memorandum and at hearing claimed Mr. Peltz was

collaterally estopped from arguing his mother was the person driving the car that resulted in his felony conviction. “Respondent continues to assert that his mother was the person driving the car, not him. Respondent is precluded from using this as his defense as he was convicted of driving the car and injuring his mother after a criminal trial.” [State Bar Prehearing Memorandum, page 5.] We disagree.

At hearing, Bar Counsel argued the conviction was proof Mr. Peltz was driving while under the influence of alcohol and his refusal to admit he was driving was obstructive to this disciplinary proceeding. Mr. Peltz argued the conviction did not establish that he was driving. He disputed that he engaged in a bad faith obstruction of the disciplinary proceedings for failing to file a disclosure statement.

Mr. Peltz admits alcohol played a part in his felony conviction and if he had not been drinking, his Mother would have not been driving. Prior to his conviction, he swore he was drinking alcohol daily. He testified he has not had an alcoholic drink since he was placed on probation and it has made him realize he was previously abusing alcohol. That testimony is consistent with the conclusion of the Presentence Report writer. [Exhibit 11, Bates SBA000479.] He stated he has no interest in returning to alcohol use and we believe he is sincere in that stated goal.

Mr. Peltz further asserts he should not be disciplined for defending himself and has cooperated with the State Bar’s investigation. The State Bar asserts the record is clear that Mr. Peltz was convicted of aggravated assault, a Class 4 felony and submits

he is collaterally estopped from claiming his mother was driving the car. “Respondent is precluded from using this as his defense of *and* driving the car. It is argued Mr. Peltz was consistently dishonest during these proceedings in his position regarding who was driving the car, and that he refuses to acknowledge his misconduct and failed to cooperate in these proceedings.

### **III. FINDINGS OF FACT**

1. Mr. Peltz is a lawyer licensed to practice law in the State of Arizona having been first admitted on August 4, 1992. He is currently unemployed. [Testimony of Mr. Peltz.]
2. By Order of the PDJ filed July 15, 2016, Mr. Peltz was placed on interim suspension pursuant to Rule 61(c)(1)(A), Ariz. R. Sup. Ct. because of his felony conviction and he remains suspended.
3. On June 23, 2016, the State Bar filed its Proof of Felony Conviction. [Exhibit 25.]
4. Mr. Peltz was originally indicted on September 5, 2014, in Cause No. 20143713.<sup>2</sup>  
A summons issued. When Mr. Peltz failed to appear for his initial appearance a

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<sup>2</sup> Mr. Peltz was originally charged in Cause No. CR20141009 for DUI and the matter was remanded to the grand jury; CR20141009 was dismissed when he was indicted for aggravated assault causing serious injury in Cause No. CR20143713. The matter was again remanded to the grand jury and Mr. Peltz was indicted for aggravated assault causing serious injury in Cause No. CR2014713. Subsequently, a superseding indictment in Cause No. 20153351 charging Mr. Peltz with aggravated assault involving a deadly weapon or dangerous instrument. The trial court consolidated the matters.

warrant issued. He was arrested on September 24, 2014 and released to the supervision of Pretrial Services later that day. [Exhibit 11, Bates SBA000475.]

Mr. Peltz was indicted in Cause No. CR20153351-001 on August 20, 2015 for: Count One: Aggravated Assault, Serious Physical Injury, a Class Three Felony; and Count Two: Aggravated Assault, Deadly Weapon/Dangerous Instrument, a Class Three Felony for assaulting his Mother with a motor vehicle. [Exhibit 3, Bates 007.]

5. Mr. Peltz was found guilty in Cause No. CR20153351 of violating A.R.S. § 13-1204, Aggravated Assault, Temporary/Substantial Disfigurement, a lesser included Class Four Felony, and A.R.S. § 13-1203, Assault, a lesser included Class Two Misdemeanor. The determination of guilt was based upon verdicts of guilty after a jury trial. [Minute Entry filed January 14, 2016, Exhibit 25, Bates 526-528.]
6. The Court suspended sentence, and placed Mr. Peltz on standard supervised probation for three (3) years commencing January 14, 2016. [Minute Entry dated February 1, 2016, Exhibit 25, Bates 529-533.]
7. Mr. Peltz appealed his criminal conviction, which was affirmed by the Court of Appeals. [Exhibit 18, Bates 495.] Mr. Peltz does not plan to file a Petition for Review. [Testimony of Mr. Peltz.]

8. Mr. Peltz admitted the complaint allegation that he did not comply with Rule 61(c)(1) after the judgment of conviction was entered. He testified his failure to report was intentional. He testified the need to complete matters for his clients who would have been harmed without him superseded his obligation to abide by the rules as he knew compliance would have resulted in his immediate interim suspension. [Mr. Peltz Answer and Testimony.]
9. Mr. Peltz is in compliance with his criminal probation, is regularly tested, and has remained sober since his probation. He has a valid driver's license. [Testimony of Mr. Peltz.]

#### **IV. CONCLUSIONS OF LAW**

By engaging in the above-listed misconduct, the Panel finds Mr. Peltz violated the following ethical rules:

- a. Rule 42, ER 8.4(b) (commit a criminal act);
- b. Rule 54(g), (conviction of a crime);
- c. Rule 61(c)(1), (failure to report conviction); and
- d. ER 8.4(d) (conduct prejudicial to the administration of justice).

The Panel finds the State Bar has failed to prove by clear and convincing evidence, a violation of ER 8.4(c) (engage in conduct involving dishonesty, deceit, fraud or misrepresentation).

## V. DISCUSSION

It was argued that Mr. Peltz was uncooperative in these proceedings by not assisting in the preparing of the joint prehearing statement and that he refused to file a disclosure statement and was obstructive during a final case management conference. However, Exhibits 19-23 were not offered and therefore not admitted. Nor was the complaint amended to support such argument. While Mr. Peltz stated he intentionally filed no disclosure statement, we decline to find the State Bar has failed to meet its burden of proof of improper conduct based on the admitted evidence and we limit our analysis to the allegations within the complaint.

In his answer, Mr. Peltz admits he violated Rule 61(c) and did so intentionally. Failing to comply with court rules can be determined to violate Rule 8.4(d). *See, e.g., People v. Roose*, 69 P.3d 43 (Colo. 2003), in which a lawyer was sanctioned for leaving the courtroom midtrial in defiance of judge's order. In *In re Estrada*, 143 P.3d 731 (N.M. 2006), the Court found a Rule 8.4(d) violation for failure to respond properly to discovery requests.

Often in lawyer regulation it is what the lawyer does after the primary act that best defines their regard for both the disciplinary process and the legal profession. The intentional disregard for the Supreme Court Rule 61 requirement to report his conviction gives unfavorable insight into Mr. Peltz and siphons off whatever potential amount existed for his request for leniency. He acted deceitfully in not reporting his

conviction with a consuming passion apparent in watching his testimony. We are not troubled by his discontent with his conviction, nor by his ardent argument he was convicted but should not have been. His intentional refusal to adhere to his Rule 61 reporting obligation we find violates Rule 8.4(d). It is a violation this panel would otherwise not have found.

Ethical Rule 8.4(b) provides that it is professional misconduct to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects. The 2003 *Comment* to ER 8.4 Misconduct, also provides that offenses involving violence, dishonesty, or serious interference with the administration of justice fall into that category. Assault and aggravated assault are both crimes of violence.

Mr. Peltz admitted he used alcohol on the evening of December 29, 2012, and that his assault convictions were alcohol related. He testified if he had not been drinking, he would have operated his car and he would not have permitted his mother to drive the car. [Testimony of Mr. Peltz.] Crimes involving alcohol are generally within Rule 8.4(b). *See In re Quinn*, 696 N.E.2d 863 (Ind. 1998). "Criminal offenses such as driving while intoxicated, public intoxication, and gambling, while not directly linked to the practice of law, may nonetheless reflect adversely on one's fitness as an attorney because such conduct tends to indicate a general indifference to legal standards of conduct."

The evidence strongly supports Mr. Peltz was driving. The Offense Report notes “there was blood on the steering wheel and several areas around the driver side of the vehicle.” It also reported Mr. Peltz “was bleeding from the head at the time police arrived” and “the elderly female occupant was not bleeding from any known locations.” The elderly female occupant was the mother of Mr. Peltz who “did not have a license, it had been canceled....” Mr. Peltz was the registered owner of the car. [Exhibit 13, Bates SBA000482.] Mr. Peltz in his initial response to the State Bar acknowledged he was the only one in the vehicle with an external injury. [Exhibit 2, Bates SBA000004.]

The Supplemental Report states there was a “pool of liquid on the driver side of the vehicle with a pint of liquor.” It also states the medical report obtained at the hospital found Mr. Peltz had a BAC of .154%, but that the DPS Crime Lab reported a BAC of 0.142%. Mr. Peltz reported to the officer that a vehicle had pulled out in front of his car. [Exhibit 13, Bates SBA000483.] Yet in his presentence interview, Mr. Peltz inconsistently told the report writer he fell asleep while his mother was driving and was awakened by the collision making him incapable of observing what occurred prior to the collision. [Exhibit 11, Bates SBA000475.] Two witnesses observed his vehicle travel off the roadway but mentioned no vehicle pulling out in front of his car, nor did the police find evidence consistent with his report. The report states the mother of Mr. Peltz informed an officer she was not the driver. [Exhibit

13, Bates SBA000483.] The Continuation/Supplemental Report states an officer overheard Mr. Peltz on his cell phone saying he had consumed a few drinks before driving. [Exhibit 13, Bates SBA000485.]

Mr. Peltz in his response to the State Bar blamed the Court for his circumstances. His response stated, “I should never have charged nor prosecuted for a felony, and the judge should have granted a directed verdict when the State failed to establish a serious physical injury.” Later he stated, “I knew that my mother’s injuries were not serious, and I did not believe that the prosecutor would be able to prove serious physical injuries. Despite the fact that the State failed to prove any serious physical injury, the judge did not grant a directed verdict on that charge.” [Exhibit 2, Bates SBA000004.] The jury convicted Mr. Peltz of the lesser included felony.

The Opinion of the Court of Appeals notes Mr. Peltz argued his mother only had minor injuries in his motion for acquittal in the trial court. That opinion states her injuries included “a lacerated spleen and fractures to her spine and eye socket.” [Exhibit 18, Bates SBA000487.] The medical testimony at the trial described the fracture to her spine. “This patient had a fracture of the vertebral body, which is this area here that just caused it to fragment into pieces.” [Exhibit 5, Bates SBA000157, Lines 20-22.] This injury was testified to require her to be in a brace for several weeks to months. [Exhibit 5, Bates SBA000160-61, Lines 20-4.] Despite the

arguments of Mr. Peltz that the lower court ruling allowing the evidence of his driving were improper, these were denied by the Court of Appeals as it affirmed the trial court rulings.

Notwithstanding, it is unnecessary for the Panel to determine who was driving. This matter comes before this Panel as a Rule 54(g), *Conviction of a Crime*. The undisputed record is the mother of Mr. Peltz had a history of Alzheimer's disease, was slightly demented and had no driver's license. [Exhibit 5, Bates SBA000175, Lines 6-8.] Mr. Peltz does not dispute he intentionally became drunk.

Under the State Bar's position, Mr. Peltz was driving while drunk and under the position of Mr. Peltz, he drunkenly had his mother drive while aware of her mental condition and absence of a license. The jury found he committed a class four felony assault on his mother.

## **VI. ABA STANDARDS ANALYSIS**

The American Bar Association's *Standards for Imposing Lawyer Sanctions* ("*Standards*") are a "useful tool in determining the proper sanction." *In re Cardenas*, 164 Ariz. 149, 152, 791 P.2d 1032, 1035 (1990). In imposing a sanction, the following factors should be considered: (1) the duty violated; (2) the lawyer's mental state; (3) the actual or potential injury caused by the lawyer's misconduct; and (4) the existence of aggravating or mitigating factors. *Standard 3.0*.

**Duty Violated:**

Mr. Peltz violated his duty to the public by failing to maintain personal integrity when he engaged in criminal conduct.

**Mental State and Injury:**

*Standard 5.12, Failure to Maintain Personal Integrity* applies to Mr. Peltz's violation of ER 8.4(b) and Rule 54(g) and provides:

Suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements listed in *Standard 5.11* and that seriously adversely reflects on the lawyer's fitness to practice.

Mr. Peltz knowingly engaged in criminal conduct that resulted in actual injury to his Mother and potential injury to the public. The Hearing Panel determined the presumptive sanction is suspension.

**AGGRAVATING AND MITIGATING FACTORS**

After misconduct has been established, the Panel looks to aggravating and mitigating circumstance to determine the appropriate sanction. The Panel finds the following aggravating factors are present in this matter:

- 9.22(a) prior discipline. In May 2007, Mr. Peltz received an informal reprimand (currently admonition) for violating ER 4.2 (communication with persons represented by counsel). [Exhibit 24.]

- 9.22 (e) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with the rules or orders of the disciplinary agency. Mr. Peltz intentionally did not notify the State Bar of his conviction nor the information required by Rule 61(c)(1).
- 9.22(i) substantial experience in the practice of law. Mr. Peltz was admitted to practice law in Arizona in August 1992.

Mr. Peltz offered no factors in mitigation. The Panel finds mitigating factor 9.32(m) remoteness of prior offenses is present in the record. His informal reprimand was imposed approximately 10 years ago and does not involve similar misconduct.

## **VII. CONCLUSION**

The Supreme Court “has long held that ‘the objective of disciplinary proceedings is to protect the public, the profession and the administration of justice and not to punish the offender.’” *Alcorn*, 202 Ariz. 62, 74, 41 P.3d 600, 612 (2002) (quoting *In re Kastensmith*, 101 Ariz. 291, 294, 419 P.2d 75, 78 (1966)). It is also the purpose of lawyer discipline to deter future misconduct. *In re Fioramonti*, 176 Ariz. 182, 859 P.2d 1315 (1993). It is also a goal of lawyer regulation to protect and instill public confidence in the integrity of individual members of the State Bar of Arizona. *Matter of Horwitz*, 180 Ariz. 20, 881 P.2d 352 (1994).

The Hearing Panel has made the above findings of fact and conclusions of law and determined the sanction using the facts, application of the *Standards* including

the aggravating and mitigating factors, and the goals of the attorney discipline system.

The Panel orders:

**IT IS ORDERED** Respondent, **Vernon E. Peltz, Bar No. 014244** is suspended from the practice of law for two (2) years retroactive to July 15, 2016, the effective date of his interim suspension.

**IT IS FURTHER ORDERED** during his period of suspension, Mr. Peltz shall comply with the terms and conditions of his criminal probation. Any additional probation will be determined during reinstatement proceedings.

**IT IS FURTHER ORDERED** vacating the Order of Interim Suspension in PDJ-2016-9064.

**IT IS FURTHER ORDERED** Mr. Peltz shall pay all costs and expenses incurred by the State Bar in these proceedings. There are no costs or expenses incurred by the Office of the Presiding Disciplinary Judge in this proceeding.

A final judgment and order shall follow.

**DATED** this 16<sup>th</sup> day of May 2017.

*William J. O'Neil*  
\_\_\_\_\_  
**William J. O'Neil, Presiding Disciplinary Judge**

*Manne B. Donahoe*  
\_\_\_\_\_  
**Anne B. Donahoe, Volunteer Public Member**

*Harlan J. Crossman*  
\_\_\_\_\_  
**Harlan J. Crossman, Volunteer Attorney Member**

Copy of the foregoing emailed  
this 16th day of May, 2017, and  
mailed May 17, 2017, to:

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OFFICE OF THE  
PRESIDING DISCIPLINARY JUDGE  
SUPREME COURT OF ARIZONA

DEC 6 2016

FILED  
BY Am

**BEFORE THE PRESIDING DISCIPLINARY  
JUDGE**

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

**VERNON E. PELTZ,  
Bar No. 014244,**

Respondent.

**PDJ 2016-9124**  
[State Bar File No. 16-1359]

**COMPLAINT**

Complaint is made against Respondent as follows:

**GENERAL ALLEGATIONS**

1. At all times relevant, Respondent was licensed to practice law Arizona having been admitted on August 04, 1992.
2. On July 15, 2016, Respondent was placed on interim suspension until further order, pursuant to Rule 61(c)(1)(A) Ariz. R. Sup. Ct.

**COUNT ONE (File no. 16-1359/Arizona)**

3. On December 29, 2012, at approximately 6:45 p.m., Respondent was driving northbound in the area of 16000 block of North Oracle Road and swerved left across the southbound lanes, down an embankment, and struck a fixed sign pole. The impact was on the front passenger side where Respondent's elderly mother was seated. She was transported to a hospital. She was diagnosed with a spleen fracture and an L2 burst fracture. She underwent surgery at the hospital.

4. Arizona Department of Public Safety officers observed signs and symptoms of intoxication during their contact with Respondent. There was a broken bottle of alcohol on the passenger floor board. Respondent initially stated he had a few drinks, but that his mother had been driving the vehicle. Respondent was also transported to a hospital due to a laceration above his left eye.

5. Respondent was originally indicted under CR-20143713 on September 5, 2014, and a summons issued. He failed to appear for a hearing on September 15, 2014, and a warrant issued. He was arrested on September 24, 2014, and released to the supervision of Pretrial Services later the same day.

6. On December 4, 2015, after a jury trial, Respondent was found guilty of aggravated assault, temporary/substantial disfigurement, a class four felony, and assault, a class two misdemeanor.

7. Respondent did not report his felony conviction to the State Bar as required by Rule 61(c) (1), Ariz. R. Sup. Ct.

8. Based on the information above, Respondent's conduct violated Rule 42, Ariz. R. Sup. Ct., specifically:

a. ER 8.4(b) (Misconduct) (It is professional misconduct for a lawyer to commit a criminal act).

b. ER 8.4(c) (Misconduct) (It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation).

c. ER 8.4(d) (Misconduct) (It is professional misconduct for a lawyer to: engage in conduct that is prejudicial to the administration of justice).

d. Rule 54(g)(conviction of a crime) (A lawyer shall be disciplined upon conviction of any felony).

e. Rule 61(c) (1) (interim suspension) (a lawyer convicted of a felony has twenty days to report the conviction to the chief bar counsel).

**DATED** this 6<sup>th</sup> day of December, 2016.

**STATE BAR OF ARIZONA**



Shauna R Miller  
Bar Counsel - Litigation

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this 6<sup>th</sup> day of December, 2016.

by: John Behan  
SRM:jb

BEFORE THE ATTORNEY DISCIPLINE  
PROBABLE CAUSE COMMITTEE  
OF THE SUPREME COURT OF ARIZONA

FILED

AUG 31 2016

BY 

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

No. 16-1359

VERNON E. PELTZ,  
Bar No. 014244,

PROBABLE CAUSE ORDER

Respondent.

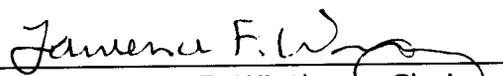
The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on August 12, 2016, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation and Respondent's Response.

By a vote of 8-0-1<sup>1</sup>, the Committee finds probable cause exists to file a complaint against Respondent in File No. 16-1359.

**IT IS THEREFORE ORDERED** pursuant to Rules 55(c) and 58(a), Ariz. R. Sup. Ct., authorizing the State Bar Counsel to prepare and file a complaint with the Disciplinary Clerk.

Parties may not file motions for reconsideration of this Order.

**DATED** this 30 day of August 2016.

  
Judge Lawrence F. Winthrop, Chair  
Attorney Discipline Probable Cause Committee  
of the Supreme Court of Arizona

<sup>1</sup> Committee member Ben Harrison did not participate in this matter.

Original filed this 31 day  
of August, 2016 with:

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Respondent

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by: 