

**SUPREME COURT OF ARIZONA**

IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA,	)	Supreme Court No. SB-10-0117-D
	)	
	)	Disciplinary Commission No. 09-0156
<b>DANIEL P. MASSEY,</b>	)	
<b>Bar No. 006089</b>	)	<b>FILED 11/15/2010</b>
	)	
RESPONDENT.	)	<b>JUDGMENT AND ORDER</b>

This matter having come before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision, and there having been no discretionary or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that **DANIEL P. MASSEY**, 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 **DANIEL P. MASSEY** shall be placed on probation for a period of two (2) years. The terms of probation are as follows:

1. The probation will begin when the final judgment and order is entered and shall terminate two years from the date that the Law Office Management Program (“LOMAP”) agreement is signed.
2. Respondent Massey shall participate in a complete LOMAP evaluation and comply with all of the recommendations made based the LOMAP evaluation.
3. In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information thereof, bar counsel shall file with the imposing entity a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct. The imposing entity may refer the matter to a hearing officer to conduct a hearing at the earliest practicable date, but in no event later than 30 days after receipt of notice, to determine whether the terms of probation have been breached and, if so, to recommend appropriate action and response. If there is an allegation that Respondent failed to comply with any of the foregoing terms, the State Bar of Arizona bears the burden to prove non-compliance by a preponderance of the evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **DANIEL P. MASSEY** for costs and expenses of these proceedings in the amount of \$1,272.50, together with interest at the legal rate from the date of this judgment.

DATED this \_\_\_\_\_ day of November, 2010.

---

Suzanne D. Bunnin  
Chief Deputy Clerk

TO:

Daniel P. Massey, Respondent

J. Scott Rhodes, Respondent's Counsel

Shauna R. Miller, Senior Bar Counsel

Hon. Michael O. Wilkinson, Hearing Officer 6T

Nancy Swetnam, Acting Disciplinary Clerk

Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona

Molly Dwyer, Clerk, United States Court of Appeals for the Ninth Circuit

Attn: Don Lewis

Richard Weare, Clerk, United States District Court, District of Arizona

Attn: Beth Stephenson

West Publishing Company (Jode Ottman)

Lexis/Nexis

chj