

SUPREME COURT OF ARIZONA

In the Matter of ) Arizona Supreme Court  
 ) No. SB-07-0177-D  
**STEVEN D. FLAGGMAN,** )  
Attorney No. 19463 )  
 )  
 )  
Respondent. )  
\_\_\_\_\_ )

**ORDER OF INTERIM SUSPENSION**

On October 10, 2007, Respondent pled guilty to and was sentenced on two counts of Criminal Possession of a Forgery Device, A.R.S. §13-2003, Class 6 undesignated felonies. Respondent filed a "Verified Motion Regarding Good Cause Regarding Automatic Suspension Pursuant to Rule 53(h)2A, ARIZ.R.SUP.CT." Respondent seeks to demonstrate the good cause necessary to avoid automatic interim suspension for conviction of a felony under Rule 53(h)(2)(A). The State Bar filed a response to the motion and filed a Motion for Interim Suspension pursuant to Rule 53(h)(2)(A) or (B).

Under Rule 53(h)(2)(A), a respondent is automatically placed on interim suspension after the conviction of a felony. In this case, however, respondent was convicted of two Class 6 undesignated felony offenses. A Class 6 undesignated offense is not a felony for disciplinary purposes until the trial court designates it a felony. ***In the Matter of Beren***, 178 Ariz. 400, 403, 874 P.2d 320, 323 (1994). Thus, the automatic provisions of Rule 53(h)(2)(A) do not apply in this case.

Alternatively, the State Bar argues that respondent's convictions for Criminal Possession of a Forgery Device are serious crimes under Rule 53(h)(2)(B) that require his suspension pending completion of the disciplinary proceedings. The Court agrees. The Court acknowledges respondent's recent rehabilitation efforts and hopes these efforts will continue to be successful. In light of the nature of respondent's convictions, however, interim suspension is necessary to protect the public. Accordingly,

IT IS ORDERED granting the State Bar's Motion for Interim Suspension pursuant to Rule 53(h)(2)(B). **STEVEN D. FLAGGMAN** is hereby suspended from the practice of law effective this date.

IT IS FURTHER ORDERED that the suspension shall continue in effect until final disposition of all pending proceedings against **STEVEN D. FLAGGMAN**, unless earlier vacated or modified.

IT IS FURTHER ORDERED that **STEVEN D. FLAGGMAN**, from this date, shall not accept for representation any new cases, nor shall he agree to represent any existing client after the effective date of this Order.

IT IS FURTHER ORDERED that **STEVEN D. FLAGGMAN** is precluded from distributing funds from any trust account to anyone except with the written approval of bar counsel or of this court.

IT IS FURTHER ORDERED that pursuant to Rule 72(a), Rules of the Supreme Court of Arizona, **STEVEN D. FLAGGMAN** shall notify all his clients within ten (10) days from the date hereof of his inability to continue to represent them and that they should promptly retain new counsel, and shall promptly inform this Court of his compliance with

this Order as provided by Rule 72(e), Rules of the Supreme Court of Arizona.

IT IS FURTHER ORDERED treating Respondent's "Verified Motion Regarding Good Cause Regarding Automatic Suspension Pursuant to Rule 53(h)2A, ARIZ.R.SUP.CT" as a verified response to the motion for interim suspension.

DATED this \_\_\_\_\_ day of January, 2008.

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RUTH V. MCGREGOR  
Chief Justice

TO:

Steven D. Flaggman (Certified Mail, Return Receipt and Regular Mail)  
Nancy A Greenlee  
Amy K Rehm, Bar Counsel, State Bar of Arizona  
Nancy Swetnam, Acting Disciplinary Clerk  
Sandra Montoya, Records Manager, State Bar of Arizona (Cert. Copy)  
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