

**Electronically Filed
Supreme Court
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SCAD-11-0000358

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

VICKERY J. RUSSELL, Respondent.

ORIGINAL PROCEEDING

(ODC 09-108-8831, 09-109-8832, 09-110-8833, 09-111-8834)

ORDER OF DISBARMENT

(By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.)

Upon consideration of the Disciplinary Board's report and recommendation to disbar Respondent Vickery J. Russell, Russell's lack of objection thereto, and the record, it appears that in the representation of three clients and the investigation of the complaints, Russell violated Hawai'i Rules of Professional Conduct Rule 1.3, Rule 1.4(a), Rule 1.15(a)(1), Rule 1.15(c), Rule 1.15(d), Rule 1.15(f)(3), Rule 1.16(d), Rule 3.4(e), Rule 8.4(a), Rule 8.4(c), and Rule 8.4(d), as well as Rules of the Supreme Court of the State of Hawai'i (RSCH) Rule 17(d)(1). It further appears that the Respondent Vickery J. Russell cannot be found within the State and that she no longer maintains a practice in Hawai'i and, therefore, the disbarment effective thirty (30) days after the entry of this order, pursuant to RSCH Rule 2.16(c), would serve no purpose. Therefore,

IT IS HEREBY ORDERED that Respondent Russell is disbarred from the practice of law in the State of Hawai'i

effective, notwithstanding Rule 2.16(c) of the Rules of the Supreme Court of the State of Hawai'i, immediately upon entry of this order.

IT IS FURTHER ORDERED that, as a condition of reinstatement, in addition to the requirements of RSCH Rule 2.16, Russell shall pay restitution as follows:

To Alan Cabos, the amount of \$2,000.00;

To Charlene P. Kuhia, the amount of \$7,500.00; and

To James Wayne Shamblin, the amount of \$4,500.00.

IT IS FURTHER ORDERED that, in addition to any other requirements for reinstatement imposed by the Rules of the Supreme Court of the State of Hawai'i, Respondent Russell shall pay all costs of these proceedings as approved upon timely submission of a bill of costs and an opportunity to respond thereto, as prescribed by RSCH Rule 2.

DATED: Honolulu, Hawai'i, May 23, 2011.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

