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Supreme Court
28686
12-JUN-2014
08:52 AM

NO. 28686

IN THE SUPREME COURT OF THE STATE OF HAWAII

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

STEVEN B. JOHNSON, Respondent.

ORIGINAL PROCEEDING
(ODC 08-053-8696)

ORDER

(By: Recktenwald, C.J., Nakayama, McKenna, and Pollack, JJ.,
and Intermediate Court of Appeals Chief Judge Nakamura,
assigned by reason of vacancy)

Upon further consideration of this court's December 8, 2010 order in ODC v. Johnson, No. 28686, disbarring Respondent Steven B. Johnson upon entry of the order, the record, and Johnson's recent application to sit for the Hawai'i bar exam, it appears the terms of the December 8, 2010 order require Respondent Johnson to "apply for, take, and pass the Hawai'i Bar Examination before a reinstatement petition will be considered." It further appears Rule 1.3(b)(5) of the Rules of the Supreme Court of the State of Hawai'i (RSCH) forbids an attorney from sitting for the bar exam "during any period in which the

applicant is suspended or disbarred” The terms of the December 8, 2010 order of this court and RSCH Rule 1.3(b)(5) therefore effectively operate to prevent Respondent Johnson from applying for reinstatement, as provided for in RSCH Rule 2.17. Therefore,

IT IS HEREBY ORDERED that the terms of this court’s December 8, 2010 order of disbarment are amended. Pursuant to RSCH Rule 2.17(b)(1), Respondent Johnson may apply for reinstatement as of December 9, 2015 but a successful petition for reinstatement shall not take full effect until, upon granting of the petition, Respondent Johnson applies for, takes, and passes the Hawai‘i Bar Examination.

IT IS FURTHER ORDERED that Respondent Johnson is reminded that the terms of this court’s November 8, 2007 order of reciprocal suspension shall remain in effect, to wit any reinstatement to practice in this jurisdiction is contingent upon payment of the costs of those reciprocal discipline proceedings and full reinstatement to practice law in Oregon.

DATED: Honolulu, Hawai‘i, June 12, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Craig H. Nakamura

