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Supreme Court
SCPR-17-0000460
30-JUN-2017
10:41 AM**

SCPR-17-0000460

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

DISCIPLINARY BOARD OF THE HAWAI'I SUPREME COURT,
Petitioner,

vs.

JOHN S. CARROLL,
Respondent.

ORIGINAL PROCEEDING
(ODC Case Nos. 15-020-9239, 15-038-9257)

ORDER ALLOWING RESIGNATION IN LIEU OF DISCIPLINE
(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of the petition submitted by the Disciplinary Board of the Hawai'i Supreme Court for an order granting the request of attorney John S. Carroll to resign from the practice of law in lieu of discipline, and the affidavit attached in support thereof, we find Respondent Carroll's affidavit meets the requirements of Rule 2.14(a) of the Rules of the Supreme Court of the State of Hawai'i (RSCH), and further note Respondent Carroll avers and admits to misconduct that we conclude represents violations of Rules 1.2(a), 1.5, 1.6, 1.7(a), 1.7(b), 1.14(b), 1.14(c), 1.15(a)(1), 1.15(c), 1.15(d), 1.15(e), 3.4(e), and 8.4(c) of the Hawai'i Rules of Professional Conduct (1994), and Rules 8.1(a), 8.1(b), and 8.4(c) of the Hawai'i Rules of Professional Conduct (2014). We conclude this misconduct

justifies granting the petition. Therefore,

IT IS HEREBY ORDERED that the petition to resign in lieu of discipline is granted, but that Respondent Carroll's request to resign effective October 31, 2017 is denied. The resignation shall become effective 30 days after the date of this order, pursuant to RSCH Rules 2.14(d) and 2.16(c).

IT IS FURTHER ORDERED that the Clerk of this court shall remove John S. Carroll's name from the role of attorneys licensed to practice law in this jurisdiction and, within thirty days after entry of this order, Respondent Carroll shall submit to the Clerk the original certificate evidencing his license to practice law in this jurisdiction or an affidavit establishing good cause for his failure to do so.

IT IS FURTHER ORDERED that Respondent Carroll shall comply with the requirements of RSCH Rule 2.16 governing disbarred attorneys, the Disciplinary Board of the Supreme Court of the State of Hawai'i shall provide notice of the disbarment as required by RSCH Rule 2.16(e), and the Clerk shall provide notice to all state judges, pursuant to RSCH Rule 2.16(f).

IT IS FINALLY ORDERED that Respondent Carroll shall bear the costs of these proceedings upon the timely submission by ODC of a verified bill of costs, as authorized by RSCH Rule 2.3(c).

DATED: Honolulu, Hawai'i, June 30, 2017.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

