

**Electronically Filed
Supreme Court
SCAD-18-0000015
18-JAN-2018
12:58 PM**

SCAD-18-0000015

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

JAMES S. RICHARDS,
Respondent.

ORIGINAL PROCEEDING
(ODC 17-0-198)

ORDER GRANTING PETITION

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of the petition for the immediate restraint of Respondent James S. Richards's license to practice law in this jurisdiction, filed on January 9, 2018 by the Office of Disciplinary Counsel (ODC) pursuant to Rule 2.13 of the Rules of the Supreme Court of the State of Hawai'i (RSCH), this court notes the conviction in the United States District Court for the Eastern District of California of Respondent Richards for attempting to evade and defeat payment of federal income taxes, a felony, in violation of 26 U.S.C. § 7201, a crime we conclude involves dishonesty or false statement. Furthermore, based upon

a review of the record, we conclude the conviction is final for the purposes of RSCH Rule 2.13(d). Therefore,

IT IS HEREBY ORDERED that ODC's petition is granted.

IT IS FURTHER ORDERED that Respondent Richards is immediately restrained from the practice of law in this jurisdiction, pursuant to RSCH Rule 2.13(b), pending final disposition of a disciplinary proceeding based on the finding of guilt.

IT IS FINALLY ORDERED that this matter is hereby referred to the Disciplinary Board of the Hawai'i Supreme Court for institution of a formal proceeding in which the sole issue to be determined shall be the discipline to be imposed.

DATED: Honolulu, Hawai'i, January 18, 2018.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

