

**Electronically Filed
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SCAD-21-0000398

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

NOAH D. FIDDLER (HI Bar #3144),
Respondent.

ORIGINAL PROCEEDING
(ODC Case No. 21-0131)

ORDER GRANTING PETITION

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

Upon consideration of the July 1, 2021 petition for the immediate restraint of the license to practice law in this jurisdiction held by Respondent Noah D. Fiddler, filed 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 exhibits attached to the petition include the granting on June 9, 2021 by the First Circuit Court, in State of Hawai‘i v. Fiddler, No. 1CPC-18-0000632, of Fiddler’s motion for the deferred acceptance of a guilty plea to five felony counts of willful failure to collect and pay over a tax, in violation of HRS § 231-36.4 (2010), and twelve misdemeanor counts of willful

failure to file a return, in violation of HRS § 231-35 (2010), all of which we conclude were crimes which involved dishonesty. Therefore,

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

IT IS FURTHER ORDERED that Respondent Fiddler 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 findings of guilt.

IT IS FURTHER ORDERED that this matter is hereby referred to the Disciplinary Board of the Hawai'i Supreme Court for institution of formal disciplinary proceedings, to be convened once these convictions become final, as defined in RSCH Rule 2.13(d). The sole issue to be determined at those hearings shall be the discipline to be imposed.

DATED: Honolulu, Hawai'i, July 16, 2021.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

