

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
BARRY LEVINSON, ESQ., BAR NO.
6721.

No. 60350

FILED

SEP 06 2012

TRACIE K. LINDSEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER OF TEMPORARY SUSPENSION

This is a petition by the Southern Nevada Disciplinary Board Chair for an order temporarily suspending attorney Barry Levinson from the practice of law, pending the resolution of formal disciplinary proceedings against him. The petition and supporting documentation allege that Levinson misappropriated funds, commingled funds, failed to report multiple trust accounts to the State Bar, failed to report to the State Bar when he overdrew various accounts, failed to pay settlements to clients, failed to pay money due to lienholders, and showed dishonesty to the State Bar and other parties in his responses.

SCR 102(4)(a) provides, in pertinent part:

On the petition of a disciplinary board, signed by its chair or vice chair, supported by an affidavit alleging facts personally known to the affiant, which shows that an attorney appears to be posing a substantial threat of serious harm to the public, the supreme court may order, with notice as the court may prescribe, the attorney's immediate temporary suspension or may impose other conditions upon the attorney's practice.

In addition, SCR 102(4)(b) and (c) provide that we may place restrictions on an attorney's handling of funds and on an attorney's acceptance and representation of clients.

We conclude that the documentation before us demonstrates that Levinson poses a substantial threat of serious harm to the public, and that his immediate temporary suspension is warranted under SCR 102(4)(a). Accordingly, attorney Barry Levinson is hereby temporarily suspended from the practice of law pending the resolution of formal disciplinary proceedings against him.

In addition, pursuant to SCR 102(4)(a), (b), and (c), we impose upon Levinson the following conditions:

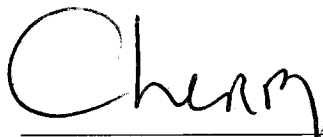
1. Levinson is precluded from accepting new cases and must cease representing existing clients within 15 days of the date of this order;
2. All proceeds from Levinson's practice of law and all fees and other funds received from or on behalf of clients shall, from the date of service of this order, be deposited into a trust account from which no withdrawals may be made by Levinson except upon written approval of bar counsel or by order of a court of competent jurisdiction; and
3. Levinson is prohibited from withdrawing any funds from any and all accounts in any way relating to his law practice, including but not limited to his general and trust accounts, except upon written approval of bar counsel or by order of a court of competent jurisdiction.

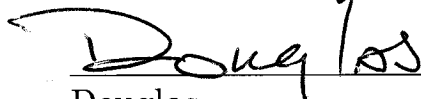
The State Bar shall immediately serve Levinson with a copy of this order. Such service may be accomplished by personal service, certified mail, delivery to a person of suitable age at Levinson's law office or residence, or by publication. When served on either Levinson or a depository in which he maintains an account, this order shall constitute

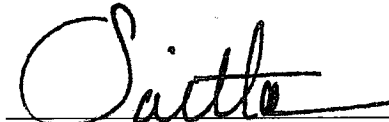
an injunction against withdrawal of the proceeds except in accordance with the terms of this order. See SCR 102(4)(b).


Levinson shall comply with SCR 115. Bar counsel shall comply with SCR 121.1.

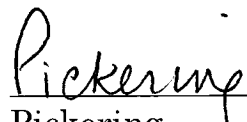
It is so ORDERED.

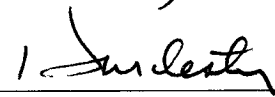

_____, C.J.
Cherry

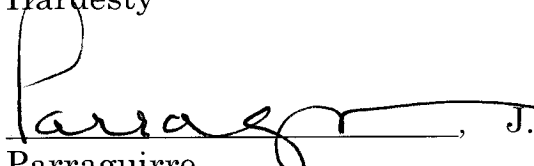

_____, J.
Douglas


_____, J.
Saitta


_____, J.
Gibbons


_____, J.
Pickering


_____, J.
Hardesty


_____, J.
Parraguirre

cc: David A. Clark, Bar Counsel
Kimberly K. Farmer, Executive Director, State Bar of Nevada
William B. Terry, Chartered
Perry Thompson, Admissions Office, United States Supreme Court