

1 Case Number: OBC15-1510



FILED

JUN 13 2016

STATE BAR OF NEVADA

BY: *[Signature]*
OFFICE OF BAR COUNSEL

7 STATE BAR OF NEVADA

8 NORTHERN NEVADA DISCIPLINARY BOARD

9 STATE BAR OF NEVADA,)
10)
11 Complainant,)
12 vs.)
13 SUZANNE LUGASKI, ESQ.)
14 STATE BAR NO. 8942)
Respondent.)

PUBLIC REPRIMAND

15 TO: Suzanne Lugaski, Esq.
16 Law Office of Suzanne Lugaski
17 1188 California Ave.
Reno, Nevada 89509

18 You were defense counsel in a criminal matter pending in the Second Judicial
19 District Court. Your client was convicted of a crime in that matter. You were obligated to
20 file certain documents with the Nevada Supreme Court to appeal the conviction. See
21 NRAP 3C.

22 The fast track statement and appendix were due on June 15, 2015. When you filed
23 the documents that referenced matters not on appeal, the Nevada Supreme Court issued
24 a conditional sanction order with a new deadline of August 29, 2015. You failed to file
25

1 documents that complied with the Court's specific directions. You admit that your failure
2 was due to your mistake.

3 You failed to file the Fast Track Statement before the new deadline. The Court
4 issued an Order with a new deadline and a warning that a failure to comply with the Order
5 would result in the imposition of sanctions.

6 You filed a second Fast Track Statement that the Court deemed to be "the exact
7 same document" that it struck previously. The Court sanctioned you and struck the second
8 Fast Track Statement that you filed and directed you, again, to file the proper documents.
9 You then filed a Motion to Dismiss the Fast Track appeal. The Court issued an Order
10 stating that the Motion to Dismiss did not comply with NRAP requirements and directing
11 you to file and serve a Fast Track Statement or an NRAP-compliant motion, on or before
12 November 9, 2015.

13 You did not file anything before, on November 25, 2015, the Nevada Supreme
14 Court issued an Order removing you as counsel for the defendant and referring you to the
15 State Bar because of your failure to file and serve the fast track statement and appendix
16 in the case.

17 The Nevada Supreme Court's November 25, 2015 Order also remanded the matter
18 to the District Court for appointment of new appellate counsel. Replacement counsel was
19 appointed to the defendant, the required documents were filed by that counsel, and the
20 appeal was adjudicated on April 20, 2016. Your failure to recognize, and comply with,
21 NRAP 3C and the Court's specific instructions regarding your client's appellate documents
22 resulted in a delay to your client's appeal of approximately nine months. Such delay is in
23 direct contravention to NRAP 3C's express purpose of expediting this type of appeal.

24 This appellate matter was one of eight "Fast Track" criminal appellate matters that
25 you have handled since 2012 and you have properly handled such matters in the past.

1 The Panel also considered that you were monetarily sanctioned by the Nevada Supreme
2 Court, have had no prior discipline, were cooperative with the State Bar in the disciplinary
3 matter, and expressed remorse for your failures.

4 In light of the foregoing, you violated Rule of Professional Conduct ("RPC") 1.3
5 (Diligence) and RPC 3.2 (Expediting Litigation) and are hereby PUBLICLY
6 REPRIMANDED and order to take an additional five Continuing Legal Education credits,
7 during 2016, in the areas of criminal and/or appellate law.

8 DATED this 10TH day of JUNE, 2016.

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10 By: Trina M. Dahlin
11 Trina Dahlin, Esq.
12 Formal Hearing Panel Chair
13 Northern Nevada Disciplinary Board
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