

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISABILITY OF
BEAU STERLING, BAR NO. 6833.

No. 68944

FILED

NOV 06 2015

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

*ORDER OF REFERRAL TO SOUTHERN NEVADA DISCIPLINARY
BOARD AND IMPOSING TEMPORARY SUSPENSION*

Attorney Beau Sterling and counsel for the State Bar of Nevada have jointly petitioned this court for an order transferring Sterling to disability inactive status. *See* SCR 117(2). Based on a treating psychologist's summary evaluation, the parties stipulate that Sterling currently is disabled under SCR 117 due to a mental infirmity that renders him unable to practice law or defend himself against pending disciplinary charges. Having reviewed the petition and supporting documents, we conclude that further proceedings are necessary to determine whether Sterling is incompetent or incapacitated within the meaning of SCR 117. Accordingly, we refer this matter to the Southern Nevada Disciplinary Board for hearing and recommendation by a hearing panel. SCR 117(2). The hearing panel may direct that Sterling be examined by qualified medical experts. *See* SCR 117(2). Bar counsel shall provide this court with a written status report on the proceedings under SCR 117 within 60 days from the date of this order. The disciplinary proceedings against Sterling shall be suspended pending further order of

this court. If adequate proof is not developed demonstrating that Sterling suffers from a disability that "makes it impossible for the attorney to adequately defend" any disciplinary proceedings, SCR 117(3), the Southern Nevada Disciplinary Board should, if supportable, proceed by way of petition to this court under SCR 102(4), within the same 60 day time period.

Based on the information in the petition and supporting documents, the pending disciplinary proceedings, and Sterling's derelict representation in multiple cases pending before this court,¹ it appears that Sterling poses a substantial threat of serious harm to the public. *Cf.* SCR 102(4)(a) (providing that upon petition of a disciplinary board showing that an attorney "appears to be posing a substantial threat of serious harm to the public," the supreme court may temporarily suspend the attorney). Accordingly, we temporarily suspend Sterling from the practice of law pending resolution of the petition under SCR 117 and such further proceedings as may be appropriate. Sterling is precluded from accepting new cases immediately upon service of this order, but he may continue to

¹We ordered Sterling to appear before this court on October 6, 2015, to show cause why he should not be sanctioned for his disregard of this court's rules and orders in six cases: *Best v. Ross*, Docket No. 65056; *Martella v. Martella*, Docket No. 65597; *In re Guardianship of Echevarria*, Docket No. 65598; *Mann v. Nestor*, Docket No. 65912; *Dalaimo v. Dalaimo*, Docket No. 66060; and *Reese v. Hughes*, Docket No. 66436.

represent existing clients for a period of 15 days from service of this order.
See SCR 115(7). The parties shall comply with SCR 115 and SCR 121.1.

It is so ORDERED.

Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Douglas, J.
Douglas

Saitta, J.
Saitta

Pickering, J.
Pickering

cc: Chair, Southern Nevada Disciplinary Board
Stan Hunterton, Bar Counsel, State Bar of Nevada
Lipson Neilson Cole Seltzer & Garin, P.C.
Kimberly Farmer, Executive Director, State Bar of Nevada
Perry Thompson, U.S. Supreme Court Admissions Office