

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF DAVID CLARK
WHITTEMORE.

No. 47023

FILED

MAY 26 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER OF DISBARMENT BY CONSENT

The Southern Nevada Disciplinary Board has filed, under SCR 112, a petition for attorney David Clark Whittemore's disbarment by consent. The petition is supported by Whittemore's affidavit, stating that he freely and voluntarily consents to disbarment, after having had the opportunity to consult with counsel. Whittemore acknowledges in the affidavit that his guilty plea to one felony count of receipt of child pornography violates SCR 203(2) (criminal act that adversely reflects on a lawyer's honesty, trustworthiness or fitness as a lawyer in other respects), and that he could not successfully defend against a disciplinary complaint or temporary suspension proceedings under SCR 111 (attorneys convicted of a crime).¹

SCR 112 provides that an attorney who is the subject of a proceeding involving allegations of misconduct may consent to disbarment by delivering an affidavit to the appropriate disciplinary board, which must file it with this court. Whittemore's affidavit meets the

¹Since any proceedings under SCR 111 for a temporary suspension based on this conviction would be redundant, we relieve bar counsel of his duties under SCR 111 with respect to this conviction.

[Handwritten mark]
Effective Date: June 12, 2006*
Bar Number: 814
*immediately as to new clients, 15 days to wind down existing cases

requirements of SCR 112(1), and we conclude that the petition should be granted. Accordingly, Whittemore is disbarred. The provisions of SCR 115 and SCR 121.1 governing notice and publication of orders of disbarment shall apply to this order.

It is so ORDERED.

Rose, C.J.
Rose

Becker, J.
Becker

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

Maupin, J.
Maupin

Douglas, J.
Douglas

Parraguirre, J.
Parraguirre

cc: Howard Miller, Chair, Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Allen W. Kimbrough, Executive Director
Hunterton & Associates
Perry Thompson, Admissions Office, U.S. Supreme Court