

1 Applicant was summarily suspended on May 14, 2004, for failing to pay bar dues
2 pursuant to Rule 62(a)3, Ariz.R.Sup.Ct. Because his suspension was not cured prior to
3 two years, he is required to seek reinstatement through formal proceedings. See Rules 64
4 and 65.

5 Applicant lost his eyesight in February of 2002, and felt that he should no longer
6 practice law. Applicant stopped paying dues to the State Bar. In December of 2007,
7 Applicant received a cornea transplant which was successful and has regained the useful
8 sight of his eyes.

9 Applicant has met all of his financial obligations to the State Bar of Arizona for
10 fees owed and has fully explained all of the criminal and civil actions pending against him
11 so that the hearing officer is satisfied that he has met all of his legal and financial
12 obligations.

13 RESPECTFULLY SUBMITTED this 15th day of December 2008.

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17 Daisy Flores, Chair
18 Disciplinary Commission

19 Original filed with the Disciplinary Clerk
20 this 15th day of December 2008.

21 Copy of the foregoing mailed
22 this 16th day of December 2008, to:

23 Frederick C. Berry, Jr.
24 Hearing Officer 9S
25 2400 North Central Avenue, Suite 106
26 Phoenix, AZ 85004

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by *Evlyn J. Jara*

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