

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISABILITY OF
PATRICK E. MCDONALD, BAR NO.
3526.

No. 67350

FILED

OCT 09 2015

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

ORDER OF TRANSFER TO DISABILITY INACTIVE STATUS

Counsel for the State Bar of Nevada and attorney Patrick E. McDonald have jointly petitioned this court for an order transferring McDonald to disability inactive status.¹ The parties have stipulated that McDonald is disabled under SCR 117 as a result of a major depressive disorder and physical infirmities including unrelenting nerve pain, and request that, in addition to him being transferred to disability inactive

¹We note that McDonald has been suspended from the practice of law in Nevada since July 2013 pursuant to an order of this court filed after the state bar, through the Southern Nevada Disciplinary Board, filed a petition under SCR 102(4)(b) demonstrating that McDonald misappropriated \$75,000 from his law firm's trust account. See *In re Discipline of McDonald*, Docket No. 62876 (Order of Temporary Suspension, July 24, 2013).


status, any disciplinary matters pending against him be suspended.² In support of the petition, the parties attach a medical assessment by Dr. Scott A. Rubin, which concludes that McDonald currently lacks the capacity to practice law and defend the disciplinary proceedings pending against him.

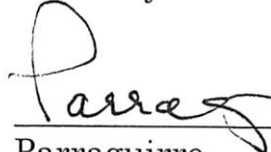
Having reviewed the petition and its attachments, including Dr. Rubin's report, we conclude that the relief requested in the joint petition is warranted under the circumstances. Accordingly, Patrick E. McDonald is transferred to disability inactive status. McDonald may resume the practice of law only after he has complied with SCR 117(4) and (5). In light of this order, any pending disciplinary proceedings against McDonald are suspended. The state bar shall effect notice of this order as

²The attachment to the petition indicate that in addition to the behavior that was the basis for his suspension in July 2013, McDonald is the subject of open state bar grievance files for allegedly misappropriating at least an additional \$480,000 that was being held in escrow in his trust account and allowing a nonlawyer assistant to enter into a business relationship with an existing client without necessary disclosures and written waivers.


required under SCR 121.1. Bar counsel shall provide this court with proof that notice has been served.


It is so ORDERED.³



_____, C.J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas



_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Pickering

SAITTA, J., dissenting:

I dissent.


_____, J.
Saitta

³This order constitutes our final disposition of this matter. Any further proceedings concerning McDonald shall be docketed as a new and separate matter.

cc: State Bar of Nevada/Las Vegas
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Perry Thompson, Admissions Office, United States Supreme Court