

STATE OF MINNESOTA
IN SUPREME COURT
A11-1089



In re Petition for Disciplinary Action against
Willie Herman Davis, Jr., a Minnesota Attorney,
Registration No. 298384.

O R D E R

By order filed on July 13, 2011, we suspended respondent Willie Herman Davis, Jr., from the practice of law for a minimum of 60 days. *In re Davis*, 799 N.W.2d 602, 603 (Minn. 2011). Our order expressly stated that within one year of the date of the filing of the order, respondent was required to file with the Clerk of Appellate Courts proof of his successful completion of the professional responsibility portion of the state bar exam (MPRE) and that failure to do so would result in automatic re-suspension, pending successful completion of the exam, pursuant to Rule 18(e)(3), Rules on Lawyers Professional Responsibility (RLPR). *Id.* at 603-604.

We reinstated respondent on October 13, 2011. *In re Davis*, 805 N.W.2d 12, 12 (Minn. 2011). The court's order reinstating respondent repeated the requirement that by July 13, 2012, respondent had to file with the Clerk of Appellate Courts proof of successful completion of the professional responsibility portion of the state bar examination and that failure to do so would result in automatic re-suspension, pending successful completion of the examination, pursuant to Rule 18(e)(3), RLPR. *Id.*

Rule 18(e)(3), RLPR, provides that unless waived by this court, a lawyer who has been suspended for 90 days or less “must, within one year from the date of the suspension order, successfully complete such written examination” for the professional responsibility portion of the state bar exam. A scaled score of 85 or higher on the MPRE is required for admission to the bar. Rule 4.A.(5), Rules for Admission to the Bar. “Except upon motion and for good cause shown, failure to successfully complete this examination shall result in automatic suspension of the lawyer effective one year after the date of the original suspension order.” Rule 18(e)(3), RLPR.

Respondent did not provide this court with proof by July 13, 2012, that he successfully passed the professional responsibility portion of the state bar examination. Instead, respondent filed an amended motion for waiver or a stay of the automatic suspension pursuant to Rule 18(e)(3), RLPR, in which he asked this court to either waive the requirement that he successfully pass the professional responsibility portion of the state bar examination or to stay the automatic suspension, provided that respondent retake and provide proof of successful completion of the examination.

Based on all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the amended motion of respondent Willie Herman Davis, Jr., is denied. Davis’s conditional reinstatement is revoked, and he is indefinitely suspended, effective ten days from the date of filing of this order. Respondent shall comply with Rule 26, RLPR (requiring notice of suspension to clients, opposing counsel, and tribunals). Respondent may apply for reinstatement under Rule 18(f), RLPR, by filing with the Clerk of Appellate Courts and the Director proof

that he has received a score of 85 or higher on the professional responsibility portion of the state bar examination.

Dated: September 18, 2012

BY THE COURT:

/s/

Alan C. Page
Associate Justice