

STATE OF MINNESOTA
IN SUPREME COURT

SEP 25 2008

FILED

A08-1534

In re Petition for Disciplinary Action against
Frederick August Fink, a Minnesota Attorney,
Registration No. 165840.

RECEIVED

SEP 26 2008

OFFICE OF LAWYERS
PROF. RESP.

ORDER

The Director of the Office of Lawyers Professional Responsibility has filed a petition alleging that respondent Frederick August Fink committed professional misconduct warranting public discipline, namely, that while prosecuting a criminal case respondent failed to disclose to defense counsel the existence of previously undisclosed records of scientific tests conducted on behalf of the prosecution and failed to correct a prior statement he made to the court that the underlying test data had been destroyed, in violation of Rules 3.3(a)(1), 3.4(c), and 8.4(d), Minn. R. Prof. Conduct.

Respondent admits the allegations of the petition and waives his procedural rights under Rule 14, Rules on Lawyers Professional Responsibility (RLPR). The parties jointly recommend that the appropriate discipline is a public reprimand. In recommending a public reprimand, the Director notes the findings of a special investigator retained by the Ramsey County Attorney's Office that there is no evidence from which one could reasonably conclude that respondent knowing and intentionally concealed information in an attempt to mislead either the court or defense counsel.

The court has independently reviewed the file and approves of the stipulated disposition.

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

IT IS HEREBY ORDERED that respondent Frederick August Fink be, and the same is, publicly reprimanded. Respondent shall pay \$900 in costs pursuant to Rule 24, RLPR.

Dated: September 25, 2008

BY THE COURT:



Alan C. Page
Associate Justice