

STATE OF MINNESOTA
IN SUPREME COURT
A15-1996



In re Petition for Disciplinary Action against
Alan F. Pendleton, a Minnesota Attorney,
Registration No. 0121538.

O R D E R

The Director of the Office of Lawyers Professional Responsibility has filed a petition for disciplinary action alleging that respondent Alan F. Pendleton committed professional misconduct warranting public discipline—namely, while serving as a district court judge, failing to maintain residency in the judicial district in which he served; making a knowingly false statement in an affidavit of candidacy; and making misleading statements about his removal as a district court judge in a blog. *See* Minn. R. Prof. Conduct 7.1, 8.4(c), and 8.4(d).

The parties filed a stipulation for discipline. In it, respondent waives his procedural rights under Rule 14, Rules on Lawyers Professional Responsibility (RLPR), and unconditionally admits the allegations in the petition. The parties jointly recommend that the appropriate discipline is a 90-day suspension.

The court has independently reviewed the file and approves the recommended disposition.

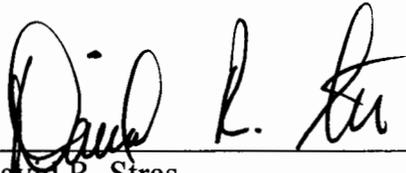
Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Respondent Alan F. Pendleton is suspended from the practice of law for a minimum of 90 days, as of the date of this order;
2. Respondent shall pay \$900 in costs pursuant to Rule 24, RPLR;
3. Respondent shall comply with Rule 26, RLPR (requiring notice of suspension to clients, opposing counsel, and tribunals);
4. Respondent shall be eligible for reinstatement to the practice of law following the expiration of the suspension period provided that, not less than 15 days before the end of the suspension period, respondent files with the Clerk of Appellate Courts and serves upon the Director an affidavit establishing that he is current in continuing legal education requirements, has complied with Rules 24 and 26, RLPR, and has complied with any other conditions for reinstatement imposed by the court; and
5. Within 1 year of the date of this order, respondent shall file with the Clerk of Appellate Courts and serve upon the Director proof of successful completion of the professional responsibility portion of the state bar examination. Failure to timely file the required documentation shall result in automatic re-suspension, as provided in Rule 18(e)(3), RLPR.

Dated: March 1, 2016

BY THE COURT:



David R. Stras
Associate Justice

GILDEA, C. J., took no part in the consideration or decision of this case.