

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against JOHN B. ARNOLD,
a Minnesota Attorney,
Registration No. 3190.

**PETITION FOR
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition upon the parties' agreement pursuant to Rules 10(a) and 12(a), Rules on Lawyers Professional Responsibility. The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on October 5, 1973. Respondent's license to practice law is currently suspended for failure to pay his lawyer registration fee. Respondent last practiced law in Zumbro Falls, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. Respondent represented David and Tasha Gilbertson in a dispute the Gilbertsons had with the City of Mantorville regarding sewer connection fees the city proposed to assess against the Gilbertsons' property.
2. On March 13, 2012, respondent sent to the attorney representing the City of Mantorville a document respondent purported to be an executed settlement agreement and mutual release signed by the Gilbertsons.

3. In fact, the Gilbertsons had not signed the settlement agreement and mutual release, but rather respondent had forged their signatures on that document.

4. On March 9, 2012, respondent was criminally charged with aggravated forgery, identity theft, forgery, and recording, filing of a forged instrument, in violation of Minn. Stat. §§ 609.625(1), 609.527.3(2), 609.631(6), and 609.64.

5. On December 3, 2013, pursuant to a plea agreement entered into by him, respondent was convicted and sentenced on the identity theft charge. A stay of adjudication was entered with respect to the aggravated forgery charge. The forgery and recording, filing of a forged instrument charges were dismissed.

6. On the aggravated forgery charge, the sentencing court ordered a stay of adjudication. Respondent was placed on probation for 3 years, sentenced to community work service for 120 hours, and sentenced to 5 days in the Olmsted County Jail with credit for time served of 1 day. The conditions of respondent's probation include a term that respondent is not to practice law in the State of Minnesota until the Lawyers Board of Professional Responsibility completed its investigation and respondent has satisfied the conditions or sanctions imposed. Successful completion of probation on this charge will result in a dismissal.

7. On the identity theft charge, respondent was convicted of a gross misdemeanor with a stay of imposition and placed on probation for a term of two years with the provision that successful completion of probation will result in a misdemeanor conviction.

8. Respondent's conduct violated Rule 8.4(b) and (c), Minnesota Rules of Professional Conduct (MRPC).

WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the

Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: April 29, 2014.



MARTIN A. COLE
DIRECTOR OF THE OFFICE OF LAWYERS
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and



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