

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary
Action against RICHARD S. ESKOLA,
a Minnesota Attorney,
Registration No. 123699.

**PETITION FOR
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

Upon the approval of a Lawyers Professional Responsibility Board Panel Chair, the Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition pursuant to Rules 10(d) 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 24, 1980. Respondent currently practices law in Columbia Heights, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. In approximately January 1985 respondent formed a partnership with Stephen Halsey and William Moore. Each of the partners agreed that all fees any lawyer's work generated belonged to the firm, and each partner would receive an equal share of the firm's profits.
2. On multiple occasions in 1995 respondent misappropriated at least \$9,800 from the law firm by diverting to himself payments made by or on behalf of clients to the firm.
3. Respondent's partners discovered respondent's misappropriation and confronted respondent. Respondent admitted his conduct and made restitution.
4. In May 2002 Halsey became a judge and left the firm.

5. On multiple occasions in 2002 respondent misappropriated at least \$6,800 from the law firm by diverting to himself payments made by or on behalf of clients to the firm.

6. Moore discovered respondent's misappropriation and confronted respondent. Respondent admitted his conduct and agreed to make restitution. Moore and Eskola's partnership ended.

7. Respondent's conduct violated Rule 8.4(c), Minnesota Rules of Professional Conduct.

WHEREFORE, the Director respectfully prays for an order of this Court suspending respondent or imposing otherwise 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 11 2003.

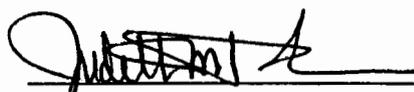

KENNETH L. JORGENSEN
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
Attorney No. 159463
1500 Landmark Towers
345 St. Peter Street
St. Paul, MN 55102-1218
(651) 296-3952

and


TIMOTHY M. BURKE
SENIOR ASSISTANT DIRECTOR
Attorney No. 19248x

This petition is approved for filing pursuant to Rules 10(d) and 12(a), RLPR, by the undersigned Panel Chair.

Dated: 4/17, 2003.


JUDITH M. RUSH
PANEL CHAIR, LAWYERS PROFESSIONAL
RESPONSIBILITY BOARD