

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against STEPHEN VINCENT GRIGSBY,
a Minnesota Attorney,
Registration No. 291973.

PETITION FOR
DISCIPLINARY ACTION

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

At the direction of a Lawyers Professional Responsibility Board Panel, the Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition. The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on May 21, 1999. Respondent was suspended on April 16, 2009, by order of this Court. *In re Grigsby*, 764 N.W.2d 54 (Minn. 2009). Although respondent is currently suspended, respondent may be eligible to return to the practice of law at any time, upon satisfaction of certain conditions as stated in this Court's order.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

J.R. Matter

1. Prior to April 16, 2009, respondent represented J.R., who was a defendant in a criminal matter.
2. On April 16, 2009, respondent was suspended from the practice of law for a period of sixty days by order of this Court.

3. Suspended lawyers are required to notify all clients, opposing counsel, and tribunals in which they regularly appear of their suspension. Rule 26, RLPR. In compliance with that requirement, respondent sent a letter to J.R. on or about April 29, 2009. Within that letter, respondent stated, "As a client you may either hire substitute counsel and collect your file from me otherwise I will have another lawyer handle your case for no cost."

4. On or about May 27, 2009, while suspended from the practice of law due to the April 16, 2009, order of this Court, respondent submitted a brief in J.R.'s case. Respondent was the author of that brief. Respondent falsely signed J.R.'s name to the brief, falsely indicated within the brief that J.R. was *pro se*, and submitted the brief on J.R.'s behalf without the knowledge, consent, or authorization of J.R.

5. To date, respondent has not sought or obtained readmission to the practice of law, and remains ineligible to practice law.

6. Respondent's conduct, in that he practiced law while suspended pursuant to this Court's order of April 16, 2009, violated Rule 5.5(a), Minnesota Rules of Professional Conduct (MRPC).

7. Respondent's conduct, in that he signed J.R.'s name to the brief with the intent of concealing the identity of the true author of the brief from the court and opposing counsel, violated Rules 3.3(a)(1), 4.1, and 8.4(c) and (d), MRPC.

8. Respondent's conduct, in that he filed the brief without prior authorization from J.R., violated Rule 1.2(a), MRPC.

DISCIPLINARY HISTORY

Respondent's history of prior discipline, including admonitions, is as follows:

A. On April 16, 2009, respondent was suspended from the practice of law for failing to file individual income tax returns in violation of Rules 8.4(b) and (d), MRPC; failing to report income to taxing authorities in violation of Rule 8.4(c), MRPC; failing to maintain practice-related books and records in

violation of Rule 1.15(h), MRPC; failing to use written retainer agreements in connection with nonrefundable fees in violation of Rule 1.15, MRPC, as further interpreted by Lawyers Professional Responsibility Board Opinion 15; and making misrepresentations to the Director and failing to cooperate with the Director's investigation in violation of Rule 8.1(a)(1), MRPC, and Rule 25, RLPR.

B. On February 27, 2007, respondent was issued a Panel admonition for failing to timely appear with his client in a federal criminal matter in violation of Rules 1.3, 3.2, and 8.4(d), MRPC.

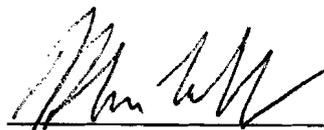
WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: April 20, 2011.



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