

FILE NO. A06-61

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against MICHAEL LEE MARTINEZ,
a Minnesota Attorney,
Registration No. 168518.

**STIPULATION
FOR DISCIPLINE**

THIS STIPULATION is entered into by and between Martin A. Cole, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and Michael Lee Martinez, attorney, hereinafter respondent.

WHEREAS, respondent has concluded it is in respondent's best interest to enter into this stipulation,

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned as follows:

1. Pursuant to the Rules on Lawyers Professional Responsibility (RLPR), the parties agree to dispense with further proceedings under Rule 14, RLPR, and respondent agrees to the immediate disposition of this matter by the Minnesota Supreme Court under Rule 15, RLPR.

2. Respondent understands this stipulation, when filed, will be of public record.

3. It is understood that respondent has certain rights pursuant to Rule 14, RLPR. Respondent waives these rights, which include the right to a hearing before a referee on the petition; to have the referee make findings and conclusions and a recommended disposition; to contest such findings and conclusions; and to a hearing before the Supreme Court upon the record, briefs and arguments.

4. Respondent withdraws the answer filed herein and admits the allegations of the petition which may be summarized as follows:

a. Respondent engaged in a pattern of neglecting client matters, failing to adequately communicate with clients, failing to inform clients of his suspension from the practice of law and practicing law while suspended in violation of Rules 1.3, 1.4 and 5.5, Minnesota Rules of Professional Conduct (MRPC), and Rule 26, RLPR.

b. During the period from at least October 2004 to November 2005, respondent engaged in a pattern of failing to cooperate with disciplinary investigations in violation of Rule 8.1(a)(3), MRPC, and Rule 25, RLPR.

c. Despite a client's repeated requests, beginning in 2003, respondent failed to provide the client with his file in violation of Rule 1.16(d), MRPC, and Rule 26(d), RLPR.

5. Respondent understands that based upon these admissions, this Court may impose any of the sanctions set forth in Rule 15(a)(1) - (9), RLPR, including making any disposition it deems appropriate. Respondent understands that by entering into this stipulation, the Director is not making any representations as to the sanctions the Court will impose.

6. Pursuant to Rule 15, RLPR, the Director and respondent join in recommending that the appropriate discipline is an indefinite extension of respondent's current suspension for a minimum period of 18 months, effective on the date of the Court's suspension order. The reinstatement hearing provided for in Rule 18, RLPR, is not waived. Reinstatement is conditioned upon the following:

a. Payment of costs in the amount of \$900 plus interest pursuant to Rule 24(d), RLPR;

b. Compliance with Rule 26, RLPR; and

c. Compliance with all of the terms and conditions of the Court's July 25, 2000, and January 21, 2003, suspension orders.

7. Within fourteen (14) days of the Court's suspension order herein, respondent shall discontinue his employment/independent contractor arrangement with attorney Joel Monke and produce to the Director verification that he has done so.

8. If respondent becomes otherwise employed in the legal field in any capacity during the period of his suspension, respondent shall immediately notify the Director of the name, address and telephone number of his employer and the terms and conditions of respondent's employment.

9. This stipulation is entered into by respondent freely and voluntarily, without any coercion, duress or representations by any person except as contained herein.

10. Respondent hereby acknowledges receipt of a copy of this stipulation.

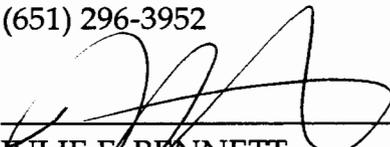
11. Respondent has been advised of the right to be represented herein by an attorney but has freely chosen to appear *pro se*.

IN WITNESS WHEREOF, the parties executed this stipulation on the dates indicated below.

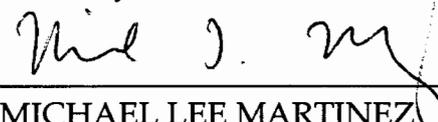
Dated: June 13, 2006.


MARTIN A. COLE
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
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Dated: 6/13/06, 2006.


JULIE E. BENNETT
ASSISTANT DIRECTOR
Attorney No. 289474

Dated: 6/13, 2006.


MICHAEL LEE MARTINEZ
RESPONDENT
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