

FILE NO. A06-2420

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against DAVID LAWRENCE McCORMICK,
a Minnesota Attorney,
Registration No. 259500.

**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 David Lawrence McCormick, 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 unconditionally admits the allegations of the petition which may be summarized as follows:

a. Respondent represented Nathan Jacob in a criminal matter.

Respondent agreed to file an appeal on Jacob's behalf and advised Jacob that it was not necessary for him to comply with the terms of his criminal probation during the pendency of the appeal. Respondent failed, however, to properly file the appeal and then failed to comply with the appellate court's orders requiring him to remedy the deficiencies in his filing. As a result, Jacob's appeal was dismissed.

b. Relying on respondent's advice, Jacob failed to respond to his probation officer's attempts to contact him. Jacob was sentenced to jail time and fined as a result of his failures in this regard.

c. After dismissal of the appeal, respondent failed to respond to Jacob's many efforts to contact him.

d. Respondent failed to cooperate in the investigation of Jacob's complaint against him.

e. Respondent's conduct as described above violated Rules 1.3, 1.4, 8.1(b) and 8.4(c) and (d), Minnesota Rules of Professional Conduct, and Rule 25, 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. Respondent is currently suspended from the practice of law pursuant to the Court's March 7, 2006, order. The Director and respondent join in recommending that pursuant to Rule 15, RLPR, the appropriate discipline in this matter is an extension of respondent's current suspension such that respondent is not eligible to apply for reinstatement for a minimum of 30 days from the date of the order based on this stipulation.

a. Reinstatement pursuant to the Court's March 7, 2006, order is conditioned on the following:

- (1) compliance with Rule 26, RLPR;
- (2) successful completion of the professional responsibility portion of the bar examination within one year of the date of the Court's order pursuant to Rule 18(e), RLPR;
- (3) satisfaction of all continuing legal education requirements pursuant to Rule 18(e), RLPR;
- (4) payment of \$900 in costs pursuant to Rule 24, RLPR;
- (5) compliance with the hearing and other requirements of Rule 18(a) - (e), RLPR; and
- (6) following reinstatement, a two-year period of supervised probation under the terms and conditions set forth in the order.

b. Pursuant to this stipulation reinstatement is further conditioned upon: (1) payment of additional costs in the amount of \$900 pursuant to Rule 24(d), RLPR; and (2) compliance with Rule 26, RLPR.

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

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

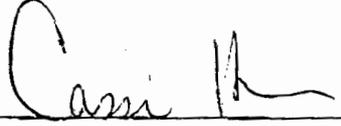
9. Respondent has been advised by the undersigned counsel concerning this stipulation and these proceedings generally.

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

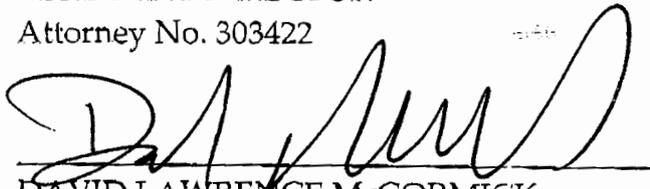
Dated: January 5, 2007.


MARTIN A. COLE
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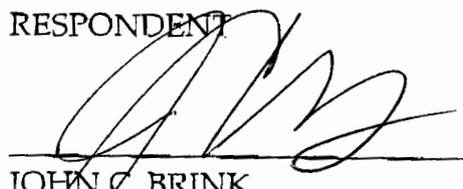
Dated: January 5, 2007.


CASSIE HANSON
ASSISTANT DIRECTOR
Attorney No. 303422

Dated: January 20, 2007.


DAVID LAWRENCE McCORMICK
RESPONDENT

Dated: 29 January, 2007.


JOHN C. BRINK
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