

FILE NO. \_\_\_\_\_

STATE OF MINNESOTA

IN SUPREME COURT

-----  
In Re Petition for Disciplinary Action  
against ROBERT D. MILLER,  
a Minnesota Attorney,  
Registration No. 20626X.  
-----

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 January 9, 1990. Respondent currently practices law in Minneapolis, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

DISCIPLINARY HISTORY

- A. On April 17, 2002, respondent was issued an admonition for violating Rules 1.5(e), 1.6(a), and 1.16(d), Minnesota Rules of Professional Conduct (MRPC).
- B. On April 17, 2009 respondent was issued an admonition for violating Rule 1.5(b), MRPC.
- C. On July 22, 2009, respondent was issued an admonition for violating Rules 1.4(a)(3) and 1.15(c)(4), MRPC.

FIRST COUNT

- 1. In October 2011, respondent was charged with violation of Minn. Stat. § 152.025, subdiv. 2(a)(1), controlled substance crime in the fifth degree, a felony.

2. On April 9, 2013, respondent pled guilty to the offense of violating Minn. Stat. § 152.025, subdiv. 2(a)(1), and received a stay of adjudication. Respondent was placed on supervised probation until April 15, 2016. Among the conditions of respondent's probation is that he undergo a chemical dependency evaluation, refrain from possession of alcohol or drugs, and undergo random urinalysis testing.

3. Respondent's conduct violated Rule 8.4(b), MRPC.

SECOND COUNT

4. On April 19, 2013, respondent appeared in court with a client. The judge detected the presence of alcohol on respondent's breath and instructed him to undergo a breathalyzer test. Two test results were obtained; the lesser result was a reading of 0.186.

5. Respondent's conduct violated Rule 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.

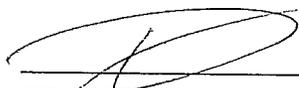
Dated: July 17, 2013.



---

MARTIN A. COLE  
DIRECTOR OF THE OFFICE OF LAWYERS  
PROFESSIONAL RESPONSIBILITY  
Attorney No. 148416  
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