

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against WILLIAM F. POST, JR.,
a Minnesota Attorney,
Registration No. 15443X.

**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 February 17, 1984. Respondent currently practices law in Minnetonka, Minnesota. Respondent has no record of prior discipline.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. On February 24, 2004, respondent fell asleep in a gas station parking lot. The gas station attendant called the local police department and reported respondent asleep in the car. A police officer arrived at the scene and administered a field sobriety test and breathalyzer, both of which respondent failed. Respondent was subsequently arrested for driving while impaired (DWI).

2. On April 30, 2004, respondent entered a guilty plea to first degree DWI, which is a felony offense. On June 16, 2004, respondent received a 42-month sentence, which was stayed provided respondent comply with the following:

a. Serve a minimum of 180 days (30 days with work release, if eligible, and the remainder to be served by electronic home monitoring);

b. Wear a Secure Continuous Remote Alcohol Monitor (SCRAM) bracelet, which is an alcohol monitoring device worn on the ankle, while on electronic home monitoring;

c. Successful completion of a chemical dependency relapse program and compliance with any aftercare recommendations;

d. Biweekly attendance at Alcoholics Anonymous meetings; and

e. Five years probation with the requirement that respondent wear the SCRAM bracelet for a 30-day period each year of probation.

3. Respondent has three prior DWI convictions, which include:

a. On June 3, 1997, respondent pled guilty to fourth degree DWI, which is a misdemeanor offense.

b. On April 12, 2001, respondent pled guilty to third degree DWI, which is a gross misdemeanor offense.

c. On January 28, 2003, respondent pled guilty to second degree DWI, which is a gross misdemeanor offense.

4. Respondent self-reported his DWI conviction to the Director's Office on April 30, 2004.

5. Respondent's conduct violated Rule 8.4(b), Minnesota Rules of Professional Conduct (MRPC).

WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the

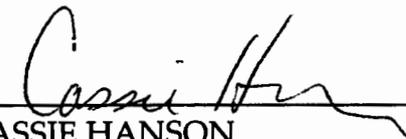
Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: July 16, 2004.



KENNETH L. JORGENSEN
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
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and



CASSIE HANSON
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