

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against JON K. SANNES,
a Minnesota Attorney,
Registration No. 204316.

**PETITION FOR
REVOCATION OF PROBATION
AND FURTHER DISCIPLINE**

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 October 27, 1989. Respondent currently practices law in Erskine, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. On November 27, 2005, respondent was arrested and charged with two counts of Third Degree DWI. At that time, respondent was on probation arising out of a previous Third Degree DWI conviction, for which he was sentenced on July 11, 2005.

2. On January 23, 2006, respondent pled guilty and was sentenced on March 17, 2006. One of the terms of the court's order was that respondent not consume or possess any alcohol.

3. On October 3, 2006, the Minnesota Supreme Court publicly reprimanded respondent and placed him on two years unsupervised probation based on knowing disobedience of a tribunal, failure to communicate with a client, and conduct prejudicial to the administration of justice, in violation of Rules 3.4(c), 1.4, and 8.4(d), Minnesota Rules of Professional Conduct (MRPC). The terms of the order included the following:

a. Respondent shall abide by all of the terms of his criminal probation and shall immediately notify the Director's Office of any allegations or accusations that respondent is not in full compliance with any term of the criminal probation.

b. Respondent shall maintain total abstinence from alcohol and other mood-altering chemicals, except that respondent may use prescription drugs in accordance with the directions of a prescribing physician who is fully advised of respondent's chemical dependency before issuing the prescription.

c. Respondent shall attend weekly meetings of Alcoholics Anonymous or another out-patient alcohol treatment program acceptable to the Director. Respondent shall, by the tenth day of each month, without a specific reminder or request, submit to the Director an attendance verification on a form provided by the Director, which provides the name, address and telephone number of the person personally verifying the attendance.

4. On July 8, 2007, respondent violated the terms of his March 17, 2006, criminal probation and the October 3, 2006, order of the Minnesota Supreme Court by consuming alcohol to intoxication. Respondent submitted to a personal breath test which measured respondent's blood alcohol content at .171. Respondent was arrested and charged with violating the terms of his March 17, 2006, probation.

5. As a consequence of respondent's July 8, 2007, violation of the terms of this criminal probation, he was required to serve sixty days on Electronic Home

Monitoring and undergo Alco-Sensor Testing beginning on July 16, 2007, and complete a chemical dependency assessment and follow all recommendations. Respondent underwent a chemical dependency assessment on July 17, 2007, and between July 17, 2007, and September 28, 2007, respondent participated in an outpatient chemical dependency treatment program. Respondent also successfully completed the Electronic Home Monitoring and Alco-Sensors Testing.

6. Respondent violated the terms of the October 3, 2006, order of the Minnesota Supreme Court by failing to immediately notify the Director's Office of the allegation that he was not in full compliance with terms of his March 17, 2006, criminal probation.

7. Respondent violated the terms of the October 3, 2006, order of the Minnesota Supreme Court by failing to attend a meeting of Alcoholics Anonymous or another out-patient alcohol treatment program between June 28, 2007, and July 11, 2007, and between July 26, 2007, and August 8, 2007.

8. Respondent's conduct, as described above, in violating the terms of the Minnesota Supreme Court's order dated October 3, 2006, violated Rule 8.4(d), MRPC.

DISCIPLINARY HISTORY

Respondent has the following disciplinary history, which may be considered in determining the appropriate form of discipline, pursuant to Rule 19(b)(4), Rules on Lawyers Professional Responsibility (RLPR):

A. On March 20, 1995, respondent was placed on two years private probation for failing to communicate, lack of diligence and failing to respond to the discipline authority's request for information and improperly withholding two client files in separate matters in violation of Rules 1.3, 1.4(a), 1.16(d) and 8.1(a)(3), MRPC, and Rule 25, RLPR.

B. On October 23, 2002, respondent was placed on two years private probation for failing to tell the court in an *ex parte* Emergency Order for Protection (OFP) application in Polk County that he had been served with an OFP scheduled for hearing the following week in Todd County. Respondent's conduct violated Rules 3.3(d) and 8.4(d), MRPC.

C. On October 3, 2006, respondent was publicly reprimanded and placed on two years unsupervised probation for knowing disobedience of a tribunal, failure to communicate with a client, and conduct prejudicial to the administration of justice, in violation of Rules 3.4(c), 1.4, and 8.4(d), MRPC.

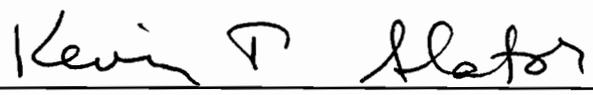
WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: Dec. 4, 2007.



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



KEVIN T. SLATOR
ASSISTANT DIRECTOR
Attorney No. 204584