

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against MICHAEL T. TIERNEY,
a Minnesota Attorney,
Registration No. 141070.

**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 October 15, 1982. Respondent currently practices law in Duluth, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

DISCIPLINARY HISTORY

On June 25, 1997, respondent was issued an admonition as a result of an October 18, 1996, shoplifting incident. In that matter the criminal charges against respondent were diverted and respondent was placed on Project Remand.

FIRST COUNT

1. On April 18, 2002, respondent was involved in another shoplifting incident in Duluth. Respondent eventually pled guilty to violation of a Duluth city ordinance for shoplifting. This matter was not reported to the Director's Office.

2. On April 20, 2005, respondent was involved in another shoplifting incident in Duluth. Respondent eventually pled guilty to theft and disorderly conduct and paid a fine of \$562.

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

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: December 9, 2005.



KENNETH L. JORGENSEN
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