

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against MELISSA ASHLEY ZENTNER,
a Minnesota Attorney,
Registration No. 327189.

**PETITION FOR REVOCATION OF
PROBATION AND FOR FURTHER
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 contained in the December 23, 2005, stipulation for probation pursuant to Rules 10(a) and 12(a), Rules on Lawyers Professional Responsibility (RLPR). The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on September 18, 2003. At the time of her probation, respondent was practicing law in Eagan, Minnesota. The Director does not know whether or where respondent is currently practicing law. Since October 1, 2006, respondent has been suspended for non-payment of lawyer registration fees.

INTRODUCTION

On December 23, 2005, respondent and the Director entered into a stipulation for private probation. Respondent's probation was based on her admissions that she neglected and failed to adequately communicate regarding four separate client matters and failed to comply with the terms of a court order in one of those matters. A copy of the stipulation is attached as Exhibit 1.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. On January 5, 2006, the Director wrote to respondent at the mailing address she used during the disciplinary investigations (944 Waterford Drive, Eagan, MN 55123), hereinafter "Eagan address." In his letter, the Director set forth the terms of probation and requested that within two weeks respondent submit the names of four attorneys willing to supervise her probation, an inventory of her active client files and her written office procedures. The Director's letter was not returned as undeliverable, but respondent failed to respond.

2. The Director wrote again to respondent at the Eagan address on July 17, 2006. On July 25, 2006, the Director's letter was returned by the postal service with the notation, "Moved Left No Address."

3. On February 13, 2007, the Director wrote to respondent at an address found in the internet telephone listings (327 Sixth Avenue SE, Minneapolis, MN 55414), hereinafter the "Minneapolis address." The Director's letter was later returned by the postal service as undeliverable with the notation, "Insufficient address." Apparently, the building located at the Minneapolis address is a multi-unit building and the postal service could not deliver the letter without a unit number.

4. On May 9, 2007, a representative of the Director visited the Minneapolis address. Respondent's name did not appear on the building directory.

5. On June 22, 2007, a representative of the Director attempted to reach respondent on a cellular telephone number she used during the disciplinary investigations. The Director's representative left a voicemail message for respondent, which was not returned.

6. Also on June 22, 2007, the Director wrote to respondent at the address appearing in the lawyer registration records (1650 Marion Street, #208, St. Paul, MN 55117). On June 29, 2007, the Director's letter was returned by the postal service with the notation, "Attempted – Not Known."

7. On June 25, 2007, a representative of the Director contacted the individual with whom respondent formerly shared office space. That individual had no information concerning respondent or her current whereabouts.

8. On August 14, 2007, the Director wrote to respondent at her mother's address (2504 – 12th Street, Monroe, WI 53566), where the Director understood from the disciplinary investigations that respondent often stayed. The Director's letter was not returned as undeliverable, but respondent failed to respond.

9. Since signing the stipulation for private probation, respondent has not contacted the Director regarding the probation.

10. Respondent's conduct violated the terms of the parties' December 23, 2005, stipulation for private probation, and Rule 8.1(b), Minnesota Rules of Professional Conduct, and Rule 25, RLPR.

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

Dated: October 25, 2007.



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