

NO. 25649

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

GARY BURNETT, Respondent.

(ODC 03-073-7673)

ORDER GRANTING REQUEST TO RESIGN FROM THE
PRACTICE OF LAW IN LIEU OF DISCIPLINE

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of (1) Petitioner Office of Disciplinary Counsel's (Petitioner ODC) December 15, 2004 ex parte motion for an order granting the request of Respondent Gary B. Burnett (Respondent Burnett) to resign from the practice of law in Hawai'i lieu of discipline pursuant to Rule 2.14 of the Rules of the Supreme Court of the State of Hawai'i (RSCH), and (2) the record, it appears that Respondent Burnett's supporting affidavit meets the requirements of RSCH Rule 2.14(a).

Therefore,

IT IS HEREBY ORDERED that Petitioner ODC's motion is granted and Respondent Burnett's request to resign in lieu of discipline is granted, effective thirty (30) days after entry of this order. See RSCH Rule 2.14(d); RSCH Rule 2.16(c).

IT IS FURTHER ORDERED that (1) the Clerk of the Supreme Court of Hawai'i shall remove Respondent Burnett's name from the role of attorneys licensed to practice law in this jurisdiction and (2) within thirty (30) days after entry of this order, Respondent Burnett shall submit to the Clerk of the Supreme Court of Hawai'i the original certificate evidencing his license to

practice law in this jurisdiction.

IT IS FINALLY ORDERED that (1) Respondent Burnett shall comply with the requirements of RSCH Rule 2.16 and (2) the Disciplinary Board shall provide notice to the public and judges, as RSCH Rule 2.16 requires.

DATED: Honolulu, Hawai'i, March 7, 2005.