

NOS. 26517 & 28323

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

NO. 26517

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

RONALD G.S. AU, Respondent.

NO. 28323

RONALD G.S. AU, Petitioner,

vs.

OFFICE OF DISCIPLINARY COUNSEL, Respondent.

(ODC 95-242-4701, ODC 97-213-5407, 98-064-5555)

ORDER DENYING PETITION FOR REINSTATEMENT

(By: Moon, C.J., Levinson and Nakayama, JJ., and Circuit Judge Crandall, in place of Acoba, J., recused, and Circuit Judge Wong, in place of Duffy, J., recused)

Upon consideration of Petitioner Ronald G.S. Au's petition for reinstatement and the declaration and exhibits in support, it appears Petitioner Au is seeking relief in this original proceeding pursuant to Rule 21(e) of the Hawai'i Rules of Appellate Procedure (HRAP) and Rule 2.17(b) of the Rules of the Supreme Court of the State of Hawai'i (RSCH). Petitioner Au was suspended for five years on June 7, 2005, see Office of Disciplinary Counsel v. Au, 107 Hawai'i 127, 113 P.3d 203 (2005), effective July 22, 2005. See S.C. Rec. at 2293. Inasmuch as a petition for reinstatement is governed by RSCH 2.17, Petitioner Au is not entitled to relief pursuant to HRAP 21(e). RSCH

E.M. ROMANNO
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2.17(b) states that "[a]n attorney suspended from practice for more than one year may not apply for reinstatement until the expiration of one-half of the period of suspension." As Petitioner Au's petition for reinstatement was filed before the expiration of one-half of the period of Petitioner Au's five-year suspension, the petition for reinstatement is premature. Petitioner Au is reminded that "[p]etitions for reinstatement by a . . . suspended attorney shall be filed with the Board and served upon Counsel." RSCH 2.17(c). Therefore,

IT IS HEREBY ORDERED that case number 28323 is consolidated with case number 26517. All further filings with regard to this matter shall be filed under number 26517.

IT IS FURTHER ORDERED that the petition for reinstatement is denied.

DATED: Honolulu, Hawai'i, January 19, 2007.

Ronald G.S. Au,
petitioner pro se

