

UNITED STATES COURT OF APPEALS **January 23, 2008**

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

IN RE: D. BRUCE OLIVER

No. 07-805

ORDER

Before **KELLY, BRISCOE**, and **TYMKOVICH**, Circuit Judges.

The U.S. District Court for the District of Utah issued an order suspending attorney D. Bruce Oliver from the practice of law in that court. In accordance with our Plan for Attorney Disciplinary Enforcement (“Plan”), Sections 2.2, 3.2, and 6, an order was issued permitting Mr. Oliver to show cause why he should not be similarly suspended by this court. Mr. Oliver filed a response to the show cause order.

At the time the reciprocal disciplinary proceeding was initiated, Mr. Oliver was also directly appealing the sanction imposed by the district court. *See* U.S. Court of Appeals for the Tenth Circuit Case No. 07-4097. Because of the pending direct appeal, we deferred judgment on whether to impose a reciprocal sanction, stating: “[W]e delay consideration of whether to reciprocally suspend Mr. Oliver until the pending appeal of the district court’s suspension order is resolved. After that appeal concludes, we will re-examine the question of whether Mr. Oliver shall be suspended from practicing in this court.” *Order*, p.2, Case No. 07-805.

The direct appeal has concluded and the mandate has been issued in that appeal. In re Oliver, —F.3d —, 2007 WL 4395441, Case No. 07-4097 (10th Cir. Dec. 18, 2007). Accordingly, we have re-examined whether a form of reciprocal discipline should be imposed by this court and conclude that it should.

To the extent Mr. Oliver may have requested an in-person hearing pursuant to Section 8.1 of the Plan, the request is denied.

D. Bruce Oliver is suspended from the practice of law before this court for a period of time coterminous with the suspension imposed by the U.S. District Court for the District of Utah. The only exception to this suspension is that Mr. Oliver is granted leave to conclude any current appeals pending before the court at the time of this order. However, he may not otherwise practice before this court unless and until he is reinstated to do so by order of this court.

Reinstatement by this court will be conditioned on filing a petition under this case number (07-805) that: (1) demonstrates Mr. Oliver has been reinstated to practice before the U.S. District Court for the District of Utah; (2) shows good cause why he should be readmitted here; and (3) is accompanied by the payment of a new admission fee in accordance with Section 10.7 of the Plan.

Court

SHUMAKER



Clerk of Court

Entered for the

ELISABETH A.

by:
Douglas E. Cressler
Chief Deputy Clerk