

STATE OF MAINE

SUPREME JUDICIAL COURT

DOCKET NO. ~~BAR-04-9~~

BOARD OF OVERSEERS OF THE BAR)
)
 Plaintiff)
 v.)
)
 WARREN M. TURNER, ESQ.)
 of Yarmouth, Maine)
 Me. Bar #1623)
 Defendant)

ORDER

This matter was heard before the Court on July 26, 2006, pursuant to M. Bar R. 7.2(b)(1) and (2). The action began with the Board's filing of an Information against the Respondent Warren M. Turner, an attorney with an office in Yarmouth, Maine. In its Information, the Board alleged that Mr. Turner engaged in violations of M. Bar R. 3.1(a) and 3.2(f)(2). Present at the hearing were Aria eee, Esq., assistant bar counsel, Warren M. Turner, Esq., and Malcolm L. Lyons, Esq., representing Mr. Turner.

The relevant facts are as follows: On August 22, 2003, Attorney Lyons filed a letter with Bar Counsel self-reporting his client, Mr. Turner, for having pled to four criminal charges (all Class D offenses) arising from his failure to file Maine State tax returns for the years 1998 through 2001. Mr. Turner was sentenced to two consecutive one-year sentences, which were suspended, and fined \$1000. He was also placed on probation and required to complete 100 hours of public service work. Mr. Turner has since successfully completed his probation and paid the relevant fines.

The Court finds that Mr. Turner violated M. Bar R. 3.2(f)(2) by engaging in illegal conduct that adversely reflects on the lawyer's honesty, trustworthiness, or

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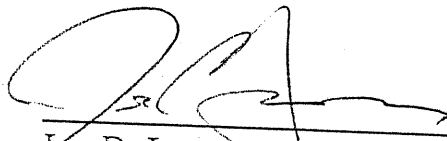
fitness as a lawyer. Likewise, the conduct is unworthy of an attorney. By his admission, Mr. Turner acknowledges that his actions demonstrated multiple instances of unprofessional conduct. Mr. Turner, who was admitted to practice in 1973, has had no prior disciplinary history.

Having found these violations of the Maine Bar Rules, and agreeing with the parties that they are serious, the Court must now consider the appropriate sanction. The Court has considered the purpose of this bar disciplinary proceeding in imposing a sanction in this case. It is well established that the main purpose of attorney discipline is not punishment, but protection of the public. The Court acknowledges that for many years Mr. Turner has successfully managed his civil law practice, concentrating in real estate and business matters, and he has done so without previous disciplinary action.

Accordingly, the Court hereby **ORDERS** that Warren M. Turner, Esq. be and hereby is suspended from the practice of law in Maine for a period of ninety days commencing July 26, 2006, with that suspension itself suspended.

In the event that a grievance complaint is received by Bar Counsel concerning alleged misconduct occurring on this date or thereafter, such complaint shall be processed under either M. Bar R. 7.1(c) or 7.1(d) as appropriate. In the event a preliminary review panel finds probable cause of misconduct under M. Bar R. 7.1(d)(5), the matter shall then be filed directly before the Court under M. Bar R. 7.2(b). Additionally, any apparent violations of the conditions of this Order shall be filed by bar counsel directly with this Court.

Date: July 27, 2006


Jon D. Levy, Associate Justice
Maine Supreme Judicial Court