

STATE OF NEBRASKA EX REL. NEBRASKA STATE BAR ASSOCIATION,
RELATOR, v. JOHN R. O'HANLON, RESPONDENT.
587 N.W.2d 700

Filed January 8, 1999. No. S-98-1267.

Original action. Judgment of disbarment.

HENDRY, C.J., WRIGHT, CONNOLLY, GERRARD, STEPHAN, and
MCCORMACK, JJ.

PER CURIAM.

Respondent, John R. O'Hanlon, was admitted to the practice
of law in the State of Nebraska on February 28, 1972.

Based on information received by the Counsel for Discipline,
a preliminary review of respondent's trust account records was

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commenced by the Counsel for Discipline on September 22,
1998. Based on the review of respondent's trust account records
by the Counsel for Discipline, respondent was notified on
November 6 that he was under investigation. As of November 6,
the investigation centered on respondent's handling of four
estates: the Larry Kuhr estate, the George Campbell estate, the
Katherine Rathjen estate, and the Ruth M. Blanchard estate.
The notice of investigation to respondent stated that it was
alleged that respondent used client funds for unintended pur-
poses, that the balances in respondent's trust accounts fell
below the amounts which should have been in the accounts rep-
resenting client funds, and that respondent commingled per-
sonal funds with client funds.

On December 3, 1998, respondent filed a "Voluntary Surren-
der of License" to practice law. Therein, respondent admits that
a disciplinary complaint was filed against him on November 6.
Respondent further states that for purposes of his voluntary sur-
render of license, he does not desire to contest the allegations
surrounding the Rathjen estate, which allegations state that on
February 18, 1998, \$25,722.98 was deposited into respondent's
Washington County Bank attorney trust account on behalf of
the Rathjen estate, and that by March 31, the account balance
was \$5,278.27, even though no funds had been paid out of the
account on behalf of said estate.

Respondent admits that his conduct violated his oath of
office as an attorney and Canon 1, DR 1-102(A)(1) and (6), and
Canon 9, DR 9-102(A)(1) and (2), of the Code of Professional
Responsibility. Respondent has freely and voluntarily con-
sented to the entry of an order of disbarment and waived his
right to notice, appearance, or hearing prior to entry of such an
order.

The court hereby accepts respondent's surrender of his
license to practice law and orders him disbarred from the prac-
tice of law in the State of Nebraska, effective immediately.
Respondent shall forthwith comply with Neb. Ct. R. of Disci-
pline 16 (rev. 1996), and upon failure to do so, he shall be sub-
ject to punishment for contempt of this court.

JUDGMENT OF DISBARMENT.

MILLER-LERMAN, J., not participating.