

NO. 26762

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

WILLIAM E.H. TAGUPA, Respondent.

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(ODC 04-074-8054)

ORDER OF PUBLIC CENSURE AND SUSPENSION

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

Upon consideration of (1) Petitioner Office of Disciplinary Counsel's (Petitioner ODC) August 19, 2004 ex parte petition for issuance of reciprocal discipline notice to Respondent William E.H. Tagupa (Respondent Tagupa) pursuant to Rule 2.15(b) of the Rules of the Supreme Court of the State of Hawai'i (RSCH), (2) the September 2, 2004 notice and order granting Petitioner ODC's ex parte petition for issuance of reciprocal discipline notice, (3) the October 7, 2004 order authorizing Petitioner ODC to serve the September 2, 2004 notice and order on Respondent Tagupa by registered or certified mail at the address on Respondent Tagupa's RSCH Rule 17(d) attorney registration statement or Respondent Tagupa's other last known address, (4) the November 22, 2004 affidavit of Carole R. Richelieu regarding Petitioner ODC's attempts to serve Respondent Tagupa with the September 2, 2004 notice and order, and (5) the record, it appears that, in In re William E.H. Tagupa, Misc. No. MC04-00188 DAE LEK, the United States District Court for the District of Hawai'i (U.S. District Court) entered an order on July 30, 2004, that publicly reprimanded Respondent Tagupa and suspended Respondent Tagupa from the practice of law for a period

of six months pursuant to Local Rule 83.4 of the Rules of the United States District Court for the District of Hawai'i. The U.S. District Court based the public reprimand and six-month suspension on Respondent Tagupa's admission that he willfully mutilated government property on June 14, 2004, by tearing out for his personal use pages from documents owned and maintained by the Martin Pence Court Library located within the U.S. District Court. In imposing the public reprimand and six-month suspension on Respondent Tagupa, the U.S. District Court cited 18 U.S.C.A. § 1361 (2000), which imposes a punishment of, among other things, imprisonment, upon any person who willfully damages government property, and the U.S. District Court noted that Tagupa's violation of 18 U.S.C.A. § 1361 was a serious offense. It further appears that reciprocal discipline in the form of a public censure and a six-month suspension is warranted in Hawai'i pursuant to RSCH Rule 2.15(c). Therefore,

IT IS HEREBY ORDERED that, pursuant to RSCH Rule 2.15(c), Respondent William E. H. Tagupa (attorney number 4421) is publicly censured and suspended from the practice of law in Hawai'i for six (6) months, effective thirty days after entry of this order, as provided by RSCH 2.16(c). Respondent Tagupa is reminded that he may not resume the practice of law in Hawai'i except upon reinstatement by order of this court. See RSCH Rule 2.17(a) & (b).

DATED: Honolulu, Hawai'i, March 3, 2005.