

NO. 26201

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

DALE L. BENNETT, Respondent.

(ODC 01-265-7009, 01-328-7072, 01-329-7073, 01-330-7074,
01-331-7075, 01-332-7076, 02-136-7334, 02-137-7335,
02-239-7437, 03-103-7703)

ORDER OF SUSPENSION

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

Upon consideration of the record, it appears that

(1) Respondent Dale L. Bennett is the subject of an investigation by Disciplinary Counsel, (2) Respondent Bennett has failed to cooperate with Counsel's investigation, (3) Respondent Bennett was served, pursuant to Rule 2.12A(b) of the Rules of the Supreme Court of the State of Hawai'i, with our December 1, 2003 order to show cause as to why he should not be suspended from the practice of law, (4) Respondent Bennett's December 22, 2003 response to our December 1, 2003 order was timely, (5) Respondent Bennett has not complied with Disciplinary Counsel's requests and has failed to cooperate with Disciplinary Counsel's investigation, and (6) Respondent Bennett has failed to show good cause for such failure. It further appears that Respondent Bennett's tender of his resignation from the practice of law does not meet the requirements of Rule 2.14 of the Rules of the Supreme Court of the State of Hawai'i. Respondent Bennett, having failed to

cooperate with Disciplinary Counsel's investigation and having failed to show good cause for his failure to cooperate with the disciplinary investigation is, therefore, guilty of failing to cooperate with the disciplinary investigation. Therefore,

IT IS HEREBY ORDERED, pursuant to Rule 2.12A of the Rules of the Supreme Court of the State of Hawai'i, that Respondent Dale L. Bennett is suspended from the practice of law in this jurisdiction, effective immediately and until further order of this court.

IT IS FURTHER ORDERED that the matter of Respondent Bennett's resignation from the practice of law is remanded to the Disciplinary Board for appropriate action.

DATED: Honolulu, Hawai'i, January 13, 2004.