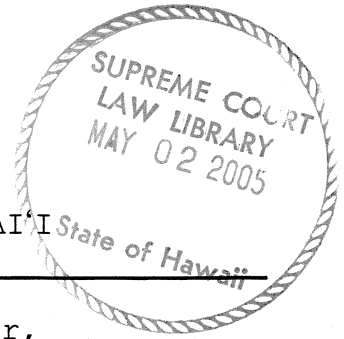


NO. 27048

IN THE SUPREME COURT OF THE STATE OF HAWAII



OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

JERROLD Y. CHUN, Respondent.

EM. RIMANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2005 MAY -2 AM 9:31

FILED

(ODC 04-168-8148)

RESTRAINING ORDER

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

Upon consideration of (1) Petitioner Office of Disciplinary Counsel's (Petitioner ODC) January 6, 2004 petition for the immediate restraint of Respondent Jerrold Y. Chun (Respondent Chun) from the practice of law pursuant to Rule 2.13 of the Rules of the Supreme Court of the State of Hawai'i (RSCH), (2) the attachments thereto, (3) Respondent Chun's lack of response thereto, and (4) the record, it appears that in State of Hawai'i v. Jerrold Y. Chun, Cr. No. 03-1-2376, Respondent Chun pleaded no contest to three class B felony counts of theft in the first degree in violation of theft in the first degree in violation of HRS § 708-830.5 (1993), one class B felony count of unlawful ownership or operation of a business in violation of HRS § 842-2 (1993), and ten class B felony counts of money laundering in violation of HRS § 708A-3 (Supp. 2004). The circuit court entered a judgment of conviction on December 13, 2004. Respondent Chun's plea of no contest to these felonies and the circuit court's judgment of conviction constitute a "finding of guilt" under RSCH Rule 2.13(a). See also State v. Samonte, 83 Hawai'i 507, 535, 928 P.2d 1, 29 (1996) ("A plea of nolo contendere to a felony charge, once accepted by the trial

court, becomes a felony conviction."). Therefore, immediate restraint from the practice of law is warranted under RSCH Rule 2.13(b). Accordingly,

IT IS HEREBY ORDERED, pursuant to RSCH Rule 2.13(b), that the petition is granted, and Respondent Jerrold Y. Chun (attorney number 2114) is restrained and enjoined from the practice of law in the State of Hawai'i, effective upon the filing of this order.

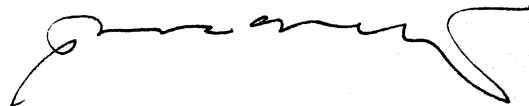
IT IS FURTHER ORDERED, pursuant to RSCH Rule 2.13(d), that this matter is referred to the Disciplinary Board for the institution of a formal disciplinary proceeding in which the sole issue will be to determine the appropriate discipline for Respondent Chun's professional misconduct.

DATED: Honolulu, Hawai'i, May 2, 2005.



Steven H. Levinson

Fumiko A. Nakayama



James E. Duffly Jr.