

NO. 29087

IN THE SUPREME COURT OF THE STATE OF HAWAII

KHAMAMADU
CLERK, APPELLATE COURTS
STATE OF HAWAII

2008 APR 22 AM 9:25

FILED

IN RE TANNAZ SIMYAR, Petitioner.

ORIGINAL PROCEEDING

ORDER DENYING PETITION TO RESIGN AND SURRENDER LICENSE
(By: Moon, C. J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of Petitioner Tannaz Simyar's Petition to Resign and Surrender License, the attached affidavits, and the lack of objections by the Office of Disciplinary Counsel, it appears that the petition does not comply with the requirements of Rule 1.10(c)(ii) and (d) of the Rules of the Supreme Court of the State of Hawai'i (RSCH), to wit:

(1) paragraph 4 of the petition (that Petitioner Simyar is in good standing with the Hawai'i State Bar Association) is not supported by the Affidavit of Executive Director Lyn Flanigan (Exhibit C), as required by RSCH 1.10(c)(ii), as the affidavit covers the period only to December 31, 2007, and does not cover the period since then until the date the petition was filed; and

(2) the certificate of service does not indicate the date the petition was served by certified mail upon Disciplinary Counsel, the Hawai'i State Bar Association, and the Lawyers' Fund for Client Protection. Thus, it cannot be determined whether the petition was served at or before the time the petition was filed with the Clerk, as required by RSCH 1.10(d). Therefore,

IT IS HEREBY ORDERED that the petition is denied without prejudice to the filing of another affidavit from the

Executive Director of the Hawai'i State Bar Association attesting to Petitioner Simyar's current status and complete certificates of service, provided such affidavit and certificates are filed within one month of the date of entry of this order.

DATED: Honolulu, Hawai'i, April 22, 2008.



Steven H. Levinson

Fuuta A. [unclear]



Kana E. Dobby, Jr.