

NO. 29952

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

ANDREW S. HARTNETT, II, Respondent.

ORIGINAL PROCEEDING
(ODC 09-036-8759)ORDER OF DISBARMENT

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

Upon consideration of the Office of Disciplinary Counsel's petition for issuance of reciprocal discipline notice to Respondent Andrew S. Hartnett, pursuant to Rule 2.15(b) of the Rules of the Supreme Court of the State of Hawai'i (RSCH), the memorandum, affidavit, and exhibits thereto, the Affidavit of Thomas F. Robertson Regarding Service of the August 5, 2009 Notice and Order, the exhibits thereto, Respondent Hartnett's Statement of Non-Objection, and the record, it appears that: (1) on May 12, 2009, the Supreme Court of Kansas accepted Respondent Hartnett's voluntary surrender of his license to practice law in Kansas and disbarred him; (2) RSCH 2.15(b) requires the same or substantially equivalent discipline, or restrictions or conditions upon the attorney's license to practice law in the State of Hawai'i, unless Respondent Hartnett shows cause under RSCH 2.15(c) as to why imposition of the same or substantially equivalent discipline should not be imposed; (3) Respondent Hartnett responded to our August 5, 2009 order and states that he does not object to or otherwise oppose the petition filed in this case; (4) the same discipline is warranted in this jurisdiction; and (5) the same discipline in this jurisdiction is disbarment. It further appears that Respondent Hartnett does not maintain a

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practice in the State of Hawai'i and that, notwithstanding RSCH 2.16(c), the disbarment should be effective immediately.

Therefore,

IT IS HEREBY ORDERED that Respondent Andrew S. Hartnett is disbarred effective upon the filing of this order.

IT IS FURTHER ORDERED that Respondent Hartnett shall pay all costs of this proceeding.

IT IS FINALLY ORDERED that Respondent Hartnett shall comply with the notice, affidavit, and record requirements of sections (a), (b), (d), and (g) of RSCH 2.16.

DATED: Honolulu, Hawai'i, September 14, 2009.



Daniel Nakayama



James E. Dally, Jr.

Mark E. Ackert