

**Electronically Filed
Supreme Court
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SCAD-15-0000709

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

THOMAS D. COLLINS, III,
Respondent.

ORIGINAL PROCEEDING
(ODC 13-053-9123 and 14-046-9189)

ORDER DENYING MOTION WITHOUT PREJUDICE

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of the motion filed by the Office of Disciplinary Counsel (ODC) on June 9, 2017, arguing for the imposition of an additional period of suspension upon Respondent Thomas D. Collins III for his failure to submit, by January 20, 2017, proof of completion of an audit of his practice and adoption of the audit's recommendations, as required by this court's January 20, 2016 order suspending Collins for one year and one day, we note that, pursuant to Rules 2.17(b)(4) and 2.17(b)(5) of the Rules of the Supreme Court of the State of Hawai'i (RSCH), Collins will not qualify for reinstatement until, at a minimum, he can provide proof of compliance with the terms

of this court's January 20, 2016 order, including completion and adoption of the PALMS audit and payment of costs as assigned by the order entered in this matter on April 8, 2016. We therefore conclude it would serve no practical purpose to delay the date by which Collins may apply for reinstatement, pursuant to RSCH Rules 2.17(b) (4), 2.17(b) (5), 2.17(b) (6) and 2.17(c). Therefore,

IT IS HEREBY ORDERED that the motion is denied without prejudice to ODC raising at any subsequent reinstatement proceeding that may be initiated by Respondent Collins, any issues of non-compliance with this court's rules or orders, or of any non-payment of required fees or costs.

DATED: Honolulu, Hawai'i, June 27, 2017.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

