

SUPREME COURT OF LOUISIANA

NO. 12-B-2040

IN RE: BRIAN L. McCULLOUGH

ATTORNEY DISCIPLINARY PROCEEDINGS

PER CURIAM*

The Office of Disciplinary Counsel ("ODC") commenced an investigation into respondent's conviction of first offense driving while intoxicated. Respondent and the ODC submitted a joint petition for consent discipline, in which the parties stipulated that respondent violated Rule 8.4(b) (commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer) of the Rules of Professional Conduct. Having reviewed the petition,

IT IS ORDERED that the Petition for Consent Discipline be accepted and that Brian L. McCullough, Louisiana Bar Roll number 31256, be suspended from the practice of law for a period of one year and one day. It is further ordered that this suspension shall be deferred in its entirety and that respondent shall be placed on unsupervised probation for a period of two years. The probationary period shall commence from the date respondent and the ODC execute a formal probation plan. Any failure of respondent to comply with the conditions of probation, or any misconduct during the probationary period, may be grounds for making the deferred suspension executory, or imposing additional discipline, as appropriate.

IT IS FURTHER ORDERED that all costs and expenses in the matter are assessed against respondent in accordance with Supreme Court Rule XIX, § 10.1,

* Chief Justice Kimball not participating in the opinion.

with legal interest to commence thirty days from the date of finality of this court's judgment until paid.