

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**ORDER**

**LD-2011-0001, In the Matter of David W. Pellenz**

On February 10, 2010, the Attorney Discipline Office filed a certified copy of a January 28, 2011 judgment of Merrimack County Superior Court, which states that Attorney David W. Pellenz was convicted of the crime of hindering apprehension or prosecution, a class A misdemeanor. The court concludes that this conviction constitutes a "serious crime" under Rule 37(9)(b). In accordance with Rule 37(9), when it is established that an attorney has been convicted of a "serious crime," the court may enter an order suspending the attorney pending final disposition of a disciplinary hearing to be commenced upon such conviction. In accordance with Rule 39(9), the court orders as follows:

1. David W. Pellenz is immediately suspended from the practice of law in New Hampshire on a temporary basis pending further order of this court. Attorney Pellenz may show cause on or before ten days from the date of service why the temporary suspension should be lifted. See *Reiner's Case*, 152 N.H. 163 (2005).
2. Attorney Pellenz is enjoined from transferring, assigning, hypothecating, or in any manner disposing of or conveying any assets of clients, whether real, personal, beneficial or mixed.
3. Copies of this order and of the certified judgment of Merrimack County Superior Court shall be served on Attorney Pellenz by first class mail and by certified mail, return receipt requested. Copies shall also be sent by first class mail to Attorney Pellenz's counsel and to the Professional Conduct Committee.

On or before March 3, 2011, the Attorney Discipline Office shall advise the court whether an attorney should be appointed in accordance with Rule 37(17) to take possession of Attorney Pellenz's client files and trust accounts and to take such action as is necessary to protect the interest of his clients.

Dalianis, C.J., and Duggan, Hicks, Conboy and Lynn, JJ., concurred.

DATE: February 11, 2011

ATTEST:

  

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**Eileen Fox, Clerk**

Distribution:  
Attorney Discipline Office  
Thomas V. Trevethick, Esquire  
David W. Pellenz  
Gary S. Lenehan, Esquire  
Professional Conduct Committee  
NH Bar Association  
File