

Disciplinary Board of the Hawai'i Supreme Court  
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January 11, 2019

Leonard G. Horowitz  
5348 Vegas Drive, Suite 353  
Las Vegas, NV 89108

**Re: Complaint filed against Hon. Clifford L. Nakea (Ret.)**  
**Complainant: Leonard G. Horowitz**

Dear Mr. Horowitz:

Thank you for your letter dated January 7, 2019, regarding the above described matter.

This Office of Disciplinary Counsel ("ODC") investigates and prosecutes acts of ethical misconduct committed by Hawai'i licensed attorneys on behalf of the Hawai'i Supreme Court. When a complaint is received against a member of the Disciplinary Board, under Disciplinary Board Rule 11, the ODC is disqualified, and the matter is presented to the most senior Disciplinary Board officer who is not the subject of the complaint. In this matter, as the complaint you submitted targeted the Disciplinary Board Chairperson, the complaint was submitted to me for review as the Disciplinary Board Vice Chairperson.

Upon receipt, I reviewed the complaint to determine whether it (a) falls outside the jurisdiction of the Board pursuant to RSCH Chapter 2; or (b) sufficient information was contained in the

*The Disciplinary Board's mission is to maintain the integrity of the legal profession and protect the public from professional misconduct by attorneys.*

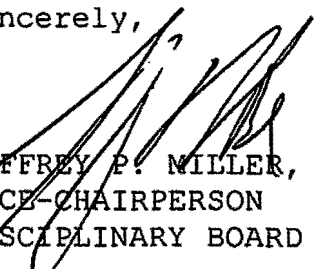
complaint to allow a meaningful investigation; or (c) a finding of an ethical violation and the imposition of discipline is not likely to occur. Further, an attorney may be found to have committed ethical misconduct only if a violation of a law or ethical rule can be proven by "clear and convincing evidence." Unless there is a sufficient basis to warrant an investigation, no action will be taken.

Following a careful review of your complaint, I have determined that no actionable ethical violation has been demonstrated to warrant further investigation, therefore, under the rules of the Hawai'i Supreme Court and the Disciplinary Board, I am authorized to direct that this matter be closed.

By copy of this letter, I am advising Judge Nakea of your contact with this office, and this terminating disposition.

Thank you again for bringing this matter to our attention.

Sincerely,



JEFFREY P. MILLER,  
VICE-CHAIRPERSON  
DISCIPLINARY BOARD

cc: Clifford L. Nakea  
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