

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: ATTORNEY DOUG A. BERNACCHI

Administrative Order
No. 18-AD-018

ORDER

On January 18, 2018, this Court suspended Doug Bernacchi's privilege of practicing law in this Court based on an October 16, 2017, Order of the Indiana Supreme Court suspending Mr. Bernacchi for at least a year, without automatic reinstatement. The Local Rules of this Court require the Chief Judge to enter an Order of reciprocal discipline. LCivR 83.1(m)(i); LCrR 57.1(m)(i). The undersigned did so after learning of the Indiana Supreme Court order from the United States Trustee. Mr. Bernacchi did not inform the Court himself even though he was obliged to do so under the Local Rules.

The Local Rules also permit an aggrieved subject of the discipline to seek modification or vacatur of the discipline within 28 days. LCivR 83.1(m)(ii); LCrR 57.1(m)(ii). Mr. Bernacchi has submitted a timely request for relief. The Court is not satisfied that he has demonstrated a basis for modification or vacatur. The Local Rules provide only a narrow window for this type of relief. Moreover, they require that the basis for relief "clearly appears" from the record compiled by the original licensing jurisdiction.

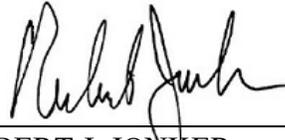
Here the record shows Mr. Bernacchi actually admitted the underlying wrongdoing, choosing to contest only the sanction. He continues to believe the sanction is unfair, and is challenging that in any available forum, including the U.S. Supreme Court. But the fact remains that he currently has no valid license to practice law. Moreover, Mr. Bernacchi compounded the matter by failing to inform the Court himself, as required by Local Rule. The Court learned of the issue only after

the United States Trustee provided the information. If and when Mr. Bernacchi is reinstated to the State Bar of Indiana, he may apply for reinstatement under the rules of this Court.

Accordingly, Mr. Bernacchi's petition is **DENIED**.

IT IS SO ORDERED.

Dated: February 20, 2018



ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE