

1 Order of Discipline, pursuant to RJDE, Rule 23(D). A copy of the Agreement to Discipline by
2 Consent¹ is attached hereto as "Attachment 1."

3 It is hereby **ORDERED** that Respondent Judge Steven S. Unpingco (Retired) shall be
4 disciplined by public reprimand by the publication and dissemination of this court's Order of
5 Discipline through the same channels as the issuance of Supreme Court opinions. Additionally,
6 disciplinary counsel shall publish news of the discipline through one publication of the
7 following statement in a newspaper of general circulation in Guam, which shall be completed
8 within thirty days of this Order of Discipline. Respondent shall bear the expense for such
9 publication, which shall be paid by Respondent through the office of disciplinary counsel within
10 thirty days of Respondent being notified, through counsel of record, of the total cost for the
11 publication.

12 The publication shall state as follows:

13 **Steven S. Unpingco, a retired judge of the Superior Court of Guam, has been**
14 **PUBLICLY REPRIMANDED** by the Supreme Court of Guam for engaging in
15 **judicial misconduct** by his violation of Canon 34 of the American Bar
16 **Association's Canons of Judicial Ethics** based on his failure to remain fearless of
17 **public clamour, patient, and courteous through language he used in court**
18 **documents filed in Superior Court of Guam cases while he was an active judge.**

19 **SO ORDERED** this 31st day of January, 2014.

20 Original Signed - **F. Philip Carbullido**
By

21 **F. PHILIP CARBULLIDO**
22 Associate Justice

Original Signed By:
Honorable Alberto E. Tolentino

23 **ALBERTO E. TOLENTINO**
24 Justice *Pro Tempore*

Original Signed - **Robert J. Torres**
By

25 **ROBERT J. TORRES**
26 Chief Justice

27 ¹ Pursuant to RJDE, Rule 23(D), Respondent's Affidavit of Consent shall remain confidential until accepted by
28 the Supreme Court. The Agreement to Discipline by Consent, having now been accepted by this court and this
court's Order of Discipline having issued, shall now be part of the public record.

**STIPULATED REQUEST FOR CONTINUED EXTENSION OF RESPONDENT'S
DEADLINE TO FILE ANSWER TO FORMAL CHARGES**

Formal charges were filed against Respondent on July 31, 2013 and served on Respondent that same day through the office of his counsel of record, Daniel S. Somerfleck. Respondent has not yet answered the formal charges, having been granted an extension until September 19, 2013 to file and serve his answer. The parties hereto stipulate and agree, and respectfully request, that an order issue from the Special Court further extending Respondent's deadline to answer the formal charges until thirty (30) days after this agreement is rejected by either the Special Court or the Supreme Court pursuant to RJDE 23(A) or (D), if such occurs. If neither body rejects the agreement, RJDE 23(D) directs that the Supreme Court of Guam shall enter an order disciplining Respondent. Upon the Supreme Court's entry of an order of discipline, there will be no need for Respondent to answer the formal charges.

AGREEMENT

Introduction

The undersigned parties submit that this agreement represents an appropriate and efficient final resolution of this matter, and that its acceptance by the Special Court and the Supreme Court of Guam is in the best interests of justice.

RJDE 23(A) allows a respondent to agree with disciplinary counsel to resolve a judicial discipline matter in which formal charges have been filed. Together with an agreement, a respondent must also execute and submit an affidavit of consent. RJDE 23(C). Respondent herein has submitted the required affidavit. The agreement and affidavit are to be submitted to the Special Court for its consideration. RJDE 23(A). The Special Court must either reject them or file them with the Supreme Court for consideration. RJDE 23(A) & (D). The Supreme Court must either reject them or enter an order disciplining Respondent herein, which order must be

based on the formal charges and the conditional admission evidenced by the agreement and affidavit. RJDE 23(D).

Admission of Misconduct

The parties hereto agree, and Respondent expressly admits, that he engaged in misconduct as charged in the formal charges pending against him by his failure to remain fearless of public clamour, patient, and courteous in violation of Canon 34 of the American Bar Association's Canons of Judicial Ethics which applied to Respondent at the time of the misconduct.

Stated Disciplinary Sanction

The parties hereto expressly agree that the sanction to be imposed upon Respondent by the Supreme Court of Guam for his admission of misconduct articulated herein will be a PUBLIC REPRIMAND. Such public reprimand shall be administered by the publication and dissemination of the Supreme Court's order of discipline through the same channels as are the appellate opinions of the Court. Additionally, disciplinary counsel shall publish news of the discipline through one publication of the following statement in a newspaper of general circulation on Guam, which shall be completed within thirty (30) days of the filing of the Supreme Court's order of discipline. Respondent shall bear the expense for such publication, which shall be paid by Respondent through the office of disciplinary counsel within thirty (30) days of Respondent being notified, through counsel of record, of the total cost for the publication. No further costs shall be assessed. The publication shall state as follows:

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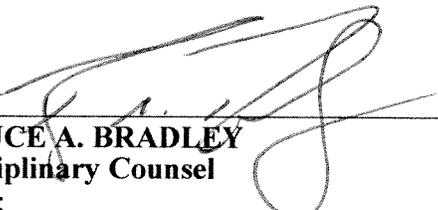
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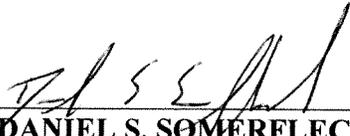
DISCIPLINE OF FORMER SUPERIOR COURT OF GUAM JUDGE

Steven S. Unpingco, a retired judge of the Superior Court of Guam, has been PUBLICLY REPRIMANDED by the Supreme Court of Guam for engaging in judicial misconduct by his violation of Canon 34 of the American Bar Association's Canons of Judicial Ethics based on his failure to remain fearless of public clamour, patient, and courteous through language he used in court documents filed in Superior Court of Guam cases while he was an active judge.

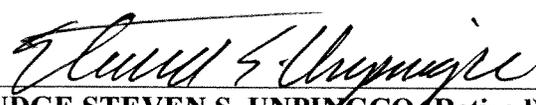
STIPULATED AND AGREED BY:



BRUCE A. BRADLEY
Disciplinary Counsel
Date: _____



DANIEL S. SOMERFLECK
Counsel for Respondent
Date: _____



JUDGE STEVEN S. UNPINGCO (Retired)
Respondent
Date: 9/30/13