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<input type="checkbox"/> OFFICE OF DISCIPLINARY COUNSEL
<input type="checkbox"/> RECEIVED, <input checked="" type="checkbox"/> FILED, <input type="checkbox"/> LODGED
DATE: <u>08/29/2024</u> , TIME: <u>4:30pm</u>
CASE NO.: <u>DB 23-9002</u>
DKT. NO.: <u>DBF 15</u>
CLERK: <u>fh</u>

DISCIPLINARY BOARD OF THE HAWAI‘I SUPREME COURT

In re:

BENJAMIN R.C. IGNACIO, HSBA No.
5811,

Respondent.

SCAD-23-0000671

DB No. 23-9002
(ODC No. 19-0420)

BENJAMIN R. C. IGNACIO PUBLIC REPRIMAND

Mr. Ignacio, you have been summoned before the Disciplinary Board of the Hawai‘i Supreme Court for the imposition of this Reprimand.

You contracted with William Turner to be his retained attorney to defend him in a federal criminal case. After his trial and sentencing, you filed a Notice of Appeal on his behalf. He then obtained mainland appellate counsel to prosecute his appeal. Mainland counsel repeatedly implored you to provide him with materials in your file that were critical to the appeal. You ignored and falsely responded to many urgent requests, your ineffectiveness as trial counsel could not be effectively prosecuted as an issue on appeal, and the appellate court, without the materials you should have provided, found the record insufficient and declined to consider what may have been a viable defense argument. Your misconduct is more fully described

in paragraphs 5 – 35 of the Petition filed herein (DBF 1) and stipulated by you as true. (DBF 5)

You have agreed that your conduct in this matter violated the following requirements of the Hawaii Rules of Professional Conduct to which all licensed attorneys are bound:

Rule 1.1: a lawyer shall provide competent representation to a client;

Rule 1.3: a lawyer shall act with reasonable diligence and promptness in representing a client;

Rule 1.4 (a) (5): a lawyer shall promptly comply with reasonable requests for information;

Rule 1.15: a lawyer shall hold the property of clients, i.e.: their file, as a fiduciary;

Rule 3.2: a lawyer shall make reasonable efforts to expedite litigation. In this instance litigation would include the appeal;

Rule 4.1 (a): in the course of representing a client a lawyer shall not knowingly make a false statement of material fact to a third person; and

Rule 8.4 (c): a lawyer shall not engage in conduct involving dishonesty, deceit, or misrepresentation.

For your conduct and violations of the Hawai‘i Rules of Professional Conduct, you are hereby Reprimanded and it is the decision of the Hawai‘i Supreme Court that this Reprimand shall be made public as prescribed in Rules 2.3 of the Rules of the Supreme Court of Hawai‘i and Rule 27 of the Rules of the Disciplinary Board.

This portion of the Public Reprimand, having been imposed in the presence of the Disciplinary Board, the matter shall be transmitted to the Disciplinary Board Administrative Director for publication and distribution required by rule. You shall be provided with a written copy of this Reprimand and this portion of the matter is concluded. The additional conditions, explicitly stated in the stipulation (DBF 5), shall be implemented forthwith.

DATED: August 29, 2024.

DISCIPLINARY BOARD OF THE HAWAI‘I
SUPREME COURT



JEFFREY P. MILLER
CHAIRPERSON

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of BENJAMIN R. C. IGNACIO PUBLIC REPRIMAND, filed on August 29, 2024, was duly served by U.S. Mail, First Class, postage prepaid, pursuant to RSCH Rule 2.11(b), on August 29, 2024, upon the following:

By personal service:

Chloe M.R. Fasi, Esq.
Bradley R. Tamm, Esq.
Office of Disciplinary Counsel
201 Merchant Street, Suite 1600
Honolulu, Hawai'i 96813

Attorneys for Office of Disciplinary Counsel

By First Class Mail, postage prepaid:

Benjamin R.C. Ignacio, Esq.
American Savings Bank Tower
1001 Bishop Street, Suite 1503
Honolulu, HI 96813

Respondent, *pro se*

DATE: Honolulu, Hawai'i, August 29, 2024



FAYE F. HEE
Disciplinary Board Administrative
Director