

**COLORADO SUPREME COURT
ATTORNEY REGULATION COUNSEL**

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Attorneys' Fund for Client Protection
Unauthorized Practice of Law

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November 22, 2005

Kay Sieverding
Clear Creek County Jail
P.O. Box 518
Georgetown, CO 80444

Re: Request for investigation of Charles C. Turner, #2005-3388

Dear Ms. Sieverding:

On October 28, 2005, we received your two-page request for investigation of Mr. Turner. On November 1, 2005, we received supplemental information pertaining to this request for investigation. Your letters assert that Mr. Turner failed to take action to protect you at a time when you were found in contempt of court in case number 02-CV-1950 in the United States district Court for the District of Colorado. You allege that this lack of action by Mr. Turner amounted to obstruction of justice.

For this office to discipline an attorney, we must prove the attorney's misconduct by clear and convincing evidence. The information you provided does not demonstrate evidence that Mr. Turner acted unethically. I note that the Colorado Bar Association was a defendant in the underlying federal court case. It appears that Mr. Turner appeared and attended hearings as an agent of the Colorado Bar Association, a party-defendant in the underlying case. Additionally, I note that the Colorado Bar Association (including Mr. Turner) was represented by counsel in those hearings. As such, Mr. Turner was not your advocate in those proceedings. Consequently, the information in your letters fails to demonstrate any issue of ethical misconduct on the part of Mr. Turner.

For the above reasons, this office has determined that the information you provided does not set forth facts, which if proven, would constitute grounds for the imposition of discipline by the offices of the Supreme Court of Colorado. Therefore, we are closing this matter and will take no further action on your request.

Thank you for your cooperation and willingness to bring this matter to our

Kay Sieverding


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attention. Your involvement in the attorney disciplinary process is a vital part of the Colorado Supreme Court's efforts to ensure that attorneys comply with the Rules of Professional Conduct.

Sincerely,

A handwritten signature in black ink, appearing to read 'MAS', with a large, sweeping flourish extending to the right.

Matthew A. Samuelson
Assistant Regulation Counsel

MAS/rsl

cc: Charles C. Turner, Esq.