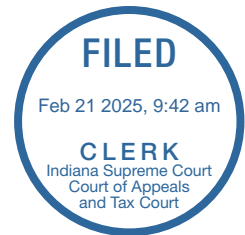


In the Indiana Supreme Court

In the Matter of: Antolin J. Reiber,
Petitioner

Supreme Court Case No.
49S00-1107-DI-461



Published Order Granting Reinstatement to the Practice of Law

This Court suspended Petitioner from the practice of law in this state for a period of not less than six months without automatic reinstatement, effective July 17, 2012. Petitioner filed a petition for reinstatement on October 26, 2023, and we appointed a hearing officer. Following an evidentiary hearing, the hearing officer issued a report on November 12, 2024, recommending that reinstatement be denied. Petitioner seeks review of the hearing officer's report and asks this Court to grant reinstatement. The Indiana Supreme Court Disciplinary Commission opposes reinstatement.

A petition for reinstatement may be granted only if the petitioner proves by clear and convincing evidence that:

- (1) The petitioner desires in good faith to obtain restoration of his or her privilege to practice law;
- (2) The petitioner has not practiced law in this State or attempted to do so since he or she was disciplined;
- (3) The petitioner has complied fully with the terms of the order for discipline;
- (4) The petitioner's attitude towards the misconduct for which he or she was disciplined is one of genuine remorse;
- (5) The petitioner's conduct since the discipline was imposed has been exemplary and above reproach;
- (6) The petitioner has a proper understanding of and attitude towards the standards that are imposed upon members of the bar and will conduct himself or herself in conformity with these standards;
- (7) The petitioner can safely be recommended to the legal profession, the courts and the public as a person fit to be consulted by others and to represent them and otherwise act in matters of trust and confidence, and in general to aid in the administration of justice as a member of the bar and an officer of the courts; and
- (8) The disability has been removed, if the discipline was imposed by reason of disability.

Admis. Disc. R. 23(18)(b)(3).

The hearing officer appointed in this case made findings of fact and ultimately concluded Petitioner has failed to meet his burden of proof. On review, "[t]he hearing officer's findings . . .

receive emphasis due to the hearing officer's unique opportunity for direct observation of witnesses, but they are not binding, and this Court reserves the right to reach the ultimate determination." *Matter of Okumu*, 796 N.E.2d 1189 (Ind. 2003) (citing *Matter of Gutman*, 599 N.E.2d 604 (Ind. 1992)).

Upon careful consideration of the record before us, the hearing officer's report and recommendation on reinstatement, Petitioner's petition for review and supporting brief, and both parties' responsive briefs, we conclude that Petitioner has met his burden of proof. The Court therefore GRANTS the petition for reinstatement and REINSTATES Petitioner as a member of the Indiana bar as of the date of this order.

Petitioner shall pay any costs owing under Admis. Disc. R. 23(21)(b). The hearing officer appointed in this case is discharged with the Court's appreciation.

Done at Indianapolis, Indiana, on 2/21/2025.

FOR THE COURT

A handwritten signature in black ink, appearing to read "Loretta H. Rush", is written over a horizontal line.

Loretta H. Rush

Chief Justice of Indiana

All Justices concur, except Rush, C.J., and Molter, J., who would deny reinstatement.