

FILED
DEC 11 2017
DISCIPLINARY
BOARD

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**BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION**

In re

DENNIS XAVIER GOSS

Lawyer (WSBA No. 33628)

Public No. 15#00053

**ORDER DENYING MOTION TO
CONTINUE SUPPLEMENTAL
PROCEEDING, STRIKING
SUPPLEMENTAL PROCEEDING AND
RETURNING MATTER BACK TO THE
DISCIPLINARY BOARD**

This matter came on before the Hearing Officer on December 11, 2017 to consider Respondent's Motion for Continuance of the Supplemental Proceeding scheduled to commence on December 11, 2017. Having considered the Respondent's November 21, 2017 letter directed to the undersigned, the ODC's Response to Respondent's Request to Continue Supplemental Hearing, the Declaration and Second Declaration of Scott G. Busby in Support of ODC's Response to Respondent's Request to Continue Supplemental Hearing and the arguments of Counsel for the ODC and from Respondent, pro se and the file herein, the Hearing Officer hereby finds as follows:

1. During the time period since the entry of the July 13, 2017 Order

Granting Respondent's Request for Reasonable Accommodation of a Disability to the
**ORDER DENYING MOTION TO CONTINUE
SUPPLEMENTAL PROCEEDING, STRIKING
SUPPLEMENTAL PROCEEDING AND
RETURNING MATTER TO D-BOARD.**

1 present the Respondent has failed to show exercise of due diligence with respect to
2 gathering and preparing to submit evidence of his disability, if any, and/or relevant
3 evidence, if any, that he was not able to present at his disciplinary hearing due to his
4 alleged disability.

5 2. Respondent has also failed to show any credible evidence of disability
6 during that time period that impacted his ability to exercise due diligence in that regard.

7 3. Respondent failed to timely comply with the Amended Order Directing
8 Supplemental Proceeding with respect to the requirement that he timely file and serve a
9 proffer of all evidence he intended to offer at the Supplemental Proceedings as required
10 therein.


11 4. Respondent has failed to show good cause for failing to timely comply
12 with the Amended Order Directing Supplemental Proceeding.

13 5. Respondent has failed to show good cause under ELC 10.12 (g) to
14 continue the supplemental hearing.

15 Based on the foregoing findings of fact, the Hearing Officer hereby Orders as follows:

- 16 1. Respondent's Motion to Continue the Supplemental Proceeding is hereby denied.
17 2. The Supplemental Proceeding previously set to commence on December 11, 2017 is
18 hereby stricken.
19 3. This matter is hereby returned to the Disciplinary Board for further handling under
20 ELC 11.

21 DATED this 11th day of December, 2017.

22 
23 David B. Condon
Hearing Officer

CERTIFICATE OF SERVICE

I certify that I caused a copy of the Order Denying Motion to continue Supplemental
to be delivered to the Office of Disciplinary Counsel and to be mailed handing, striking supplemental
to Dennis Goss (Respondent's Counsel) proceeding and returning
at P.O. Box 1733 Port Charles, WA 98130, by Certified/first class mail back to the DSC Board
postage prepaid on the 11th day of Dec 2017

[Signature]
Clerk/Counsel to the Disciplinary Board