

2. Respondent is also licensed to practice law in Maryland, as well as before various federal courts.

3. Respondent represents criminal defendants housed in District of Columbia Department of Corrections facilities. For at least 20 years, he has frequently visited his clients in such facilities.

4. The D.C. Department of Corrections has a manual and related forms setting forth its policies and procedures for attorneys visiting its facilities. The link to the forms is available to the public at <https://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/PP%204160.3K%20%20Access%20to%20Legal%20Counsel%20%28Attorney%20Visits%29%2010-26-2022.pdf>. Among the procedures set forth is that attorneys are prohibited from bringing into a corrections facility “[a]ny item that is unlawful to possess under local or federal law[.]”

5. In early October 2023, Respondent went to D.C.’s Central Detention Facility for legal visits with two inmates. On entry into the facility, security personnel discovered Respondent possessed a suspicious package. The package comprised discolored oily papers inconsistent with the texture or appearance of normal paper.

6. Respondent stated that the papers were legal research from his client’s family.

7. The papers ultimately were found to contain a synthetic cannabinoid and were not prescription drugs.

8. On December 7, 2023, after a determination that the papers were contraband, Respondent was indefinitely barred from entering all D.C. corrections facilities, effective immediately.

9. Respondent violated District of Columbia Rule of Professional Conduct 8.4(c), because he engaged in dishonesty by bringing contraband into a D.C. corrections facility in an effort to give it to his client.

Respectfully submitted,

/s/ Hamilton P. Fox, III

Hamilton P. Fox, III
Disciplinary Counsel



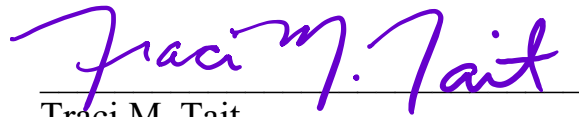
Traci M. Tait
Assistant Disciplinary Counsel

OFFICE OF DISCIPLINARY
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DECLARATION

I declare on March 29, 2024, under penalty of perjury, that I believe the foregoing facts stated in the Specification of Charges and Petition are true and correct.



Traci M. Tait
Assistant Disciplinary Counsel

D. Procedures

(1) **Referral to Hearing Committee** - When the Board receives the Petition Instituting Formal Disciplinary Proceedings, the Board shall refer it to a Hearing Committee.

(2) **Filing Answer** - Respondent must respond to the Specification of Charges by filing an answer with the Board and by serving a copy on the Office of Disciplinary Counsel within 20 days of the date of service of this Petition, unless the time is extended by the Chair of the Hearing Committee. Permission to file an answer after the 20-day period may be granted by the Chair of the Hearing Committee if the failure to file an answer was attributable to mistake, inadvertence, surprise, or excusable neglect. If a limiting date occurs on a Saturday, Sunday, or official holiday in the District of Columbia, the time for submission will be extended to the next business day. Any motion to extend the time to file an answer, and/or any other motion filed with the Board or Hearing Committee Chair, must be served on the Office of Disciplinary Counsel at the address shown on the last page of this petition.

(3) **Content of Answer** - The answer may be a denial, a statement in exculpation, or a statement in mitigation of the alleged misconduct. Any charges not answered by Respondent may be deemed established as provided in Board Rule 7.7.

(4) **Mitigation** - Respondent has the right to present evidence in mitigation to the Hearing Committee regardless of whether the substantive allegations of the Specification of Charges are admitted or denied.

(5) **Process** - Respondent is entitled to fifteen days' notice of the time and place of hearing, to be represented by counsel, to cross-examine witnesses, and to present evidence.

E. In addition to the procedures contained in D.C. Bar R. XI, the Board has promulgated Board Rules relating to procedures and the admission of evidence which are applicable to these procedures. A copy of these rules is being provided to Respondent with a copy of this Petition.

WHEREFORE, the Office of Disciplinary Counsel requests that the Board consider whether the conduct of Respondent violated the District of Columbia Rules of Professional Conduct, and, if so, that it impose/recommend appropriate discipline.

Office of Disciplinary Counsel

/s/ Hamilton P. Fox, III

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