

DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY

In the Matter of:	:	
	:	
MOHAMED ALAMGIR,	:	Bar Docket No. 180-04
	:	
Respondent.	:	

REPORT AND RECOMMENDATION OF THE
BOARD ON PROFESSIONAL RESPONSIBILITY

On August 12, 2004, Bar Counsel filed a motion to accept the consent of Respondent to disbarment, attaching Respondent’s March 25, 2004, affidavit of consent to disbarment and asking the Board to recommend Respondent’s disbarment to the District of Columbia Court of Appeals (the “Court”). Acting through its Chair, and pursuant to Board Rule 15.2, the Board issued an Order dated August 26, 2004, finding that Respondent’s affidavit failed to meet the requirements of D.C. Bar R. XI, § 12(a). The Order directed Respondent to submit a revised affidavit complying with all provisions of D.C. Bar R. XI, §12(a), and stated that if Respondent failed to do so, the Board would deny Bar Counsel’s motion for disbarment by consent.

On September 10, 2004, Respondent filed with the Board an Amended Affidavit of Consent to Disbarment. Acting through its Chair, the Board issued an Order dated September 23, 2004, finding that Respondent’s amended affidavit failed to meet the requirements of D.C. Bar R. XI, § 12(a), and denying Bar Counsel’s motion for disbarment by consent, without prejudice to Respondent’s right to file a new affidavit.

On October 19, 2004, Respondent filed with the Board a Second Amended Affidavit of Consent to Disbarment. Bar Counsel states that it comports with D.C. Bar R. XI, § 12 and does not object to the affidavit.

D.C. Bar R. XI, § 12(a) provides that an attorney subject to a disciplinary investigation may consent to disbarment by delivering an affidavit declaring the consent to disbarment and stating the following:

- (1) That the consent is freely and voluntarily rendered, that the attorney is not being subjected to coercion or duress, and that the attorney is fully aware of the implication of consenting to disbarment;
- (2) That the attorney is aware that there is currently pending an investigation into, or a proceeding involving, allegations of misconduct, the nature of which shall be specifically set forth in the affidavit;
- (3) That the attorney acknowledges that the material facts upon which the allegations of misconduct are predicated are true; and
- (4) That the attorney submits the consent because the attorney knows that if disciplinary proceedings based on the alleged misconduct were brought, the attorney could not successfully defend against them.

The Board, acting through its Chair, has reviewed Respondent's Second Amended Affidavit of Consent to Disbarment, filed October 19, 2004, pursuant to D.C. Bar R. XI, § 12(b) and Board Rule 15.2. Based on that review, the Board approves Respondent's affidavit and recommends that the Court enter an order disbarring Respondent on consent pursuant to D.C. Bar R. XI, § 12(b).

BOARD ON PROFESSIONAL RESPONSIBILITY

By: _____
Martin R. Baach
Chair

Dated: November 5, 2004