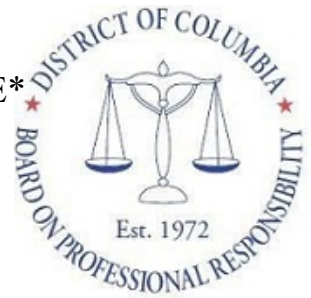


THIS REPORT IS NOT A FINAL ORDER OF DISCIPLINE*



DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY

In the Matter of: :
 :
 WESLEY L. CLARKE, :
 :
 Respondent. : Board Docket No. 19-BD-057
 : Disciplinary Docket Nos. 2016-D231,
 : 2017-D288, 2018-D021, & 2018- D178
 A Member of the Bar of the :
 District of Columbia Court of Appeals :
 (Bar Registration No. 474594) :

Issued
August 27, 2019

REPORT AND RECOMMENDATION OF THE
BOARD ON PROFESSIONAL RESPONSIBILITY

This matter is before the Board on Professional Responsibility (“Board”) on Disciplinary Counsel’s Motion to Accept Respondent’s Consent to Disbarment, filed pursuant to D.C. Bar R. XI, § 12(a) and Board Rule 16.1. Respondent’s affidavit of consent to disbarment, executed on August 21, 2019, is attached to the motion.¹ Respondent has requested, and Disciplinary Counsel has agreed, that Respondent’s disbarment not take effect until October 25, 2019, in order to allow Respondent to close his practice and transfer all client matters.²

¹ Respondent’s affidavit was notarized electronically, “a process whereby a notary affixes an electronic notary signature and seal information to an electronic document (such as a PDF or Word document). Once affixed to the electronic document, the document is rendered tamper evident such that unauthorized attempts to alter the document will be evident to relying parties.” Secretary of the Commonwealth of Virginia website, <https://www.commonwealth.virginia.gov/official-documents/notary-commissions/enotary-faq/> (visited on Aug. 26, 2019).

² Disciplinary Counsel has agreed to Respondent’s request to delay the effective date of his disbarment because Respondent has agreed that he (1) will inform his current clients of his consent
footnote cont’d on following page

* Consult the ‘Disciplinary Decisions’ tab on the Board on Professional Responsibility’s website (www.dcattorneydiscipline.org) to view any subsequent decisions in this case.

The Board, acting through its Chair, and pursuant to D.C. Bar R. XI, § 12(b) and Board Rule 16.2, has reviewed Respondent's affidavit declaring his consent to disbarment and recommends that the Court enter an order disbarring Respondent on consent pursuant to D.C. Bar R. XI, § 12(b), effective on October 25, 2019.³ *See Order, In re Allen*, D.C. App. No. 12-BG-1148 (Aug. 23, 2012) (disbarring the respondent on consent, effective approximately six weeks after the Court's order).

Respondent's attention should be drawn to the requirement to demonstrate compliance with the provisions of D.C. Bar R. XI, §§ 14 and 16, including the filing of the affidavit pursuant to D.C. Bar R. XI, § 14(g) (which must be served on Disciplinary Counsel and the Board), and to the fact that the period of disbarment will not be deemed to run for purposes of reinstatement until a compliant affidavit is filed. *See In re Slosberg*, 650 A.2d 1329, 1331-33 (D.C. 1994).

BOARD ON PROFESSIONAL RESPONSIBILITY

By: 
Matthew G. Kaiser
Chair

to disbarment before taking further action in those clients' matters, and (2) will not take on any new matters. These measures, together with the notice to potential clients provided by the Court's disbarment order, will protect the public prior to the effective date of Respondent's disbarment.

³ Disciplinary Counsel asserts in its motion that Respondent engaged in additional misconduct not admitted in his affidavit. If Disciplinary Counsel intends to introduce evidence of unadjudicated acts of alleged misconduct in a future reinstatement proceeding, it shall comply with the notice requirements in Board Rule 9.8. *See In re Yum*, Board Docket No. 15-BD-067, at 2-6 (BPR Dec. 22, 2017).