

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 9 DB 2024
Petitioner :
v. : Attorney Registration No. [REDACTED]
[REDACTED] :
Respondent : ([REDACTED] County)

ORDER

AND NOW, this 19th day of March, 2026, upon consideration of the Report and Recommendation of the Hearing Committee filed on April 16, 2025, it is hereby.

ORDERED that the said [REDACTED] of [REDACTED] County be subjected to a PRIVATE REPRIMAND by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a)(6) of the Pennsylvania Rules of Disciplinary Enforcement.

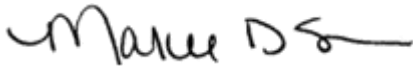
Costs shall be paid by the Respondent.

BY THE BOARD:



Board Chair

TRUE COPY FROM RECORD
Attest:



Marcee D. Sloan
Board Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 9 DB 2024
Petitioner :
 :
v. : Attorney Registration No. [REDACTED]
 :
[REDACTED] :
Respondent : ([REDACTED] County)

OPINION

This matter comes before the Board following oral argument on exceptions filed by Respondent, [REDACTED] [REDACTED] [REDACTED] to the Hearing Committee’s unanimous recommendation that Respondent receive an informal admonition for his violation of Rules of Professional Conduct (“RPC”) 4.1(a), 8.4(a) and 8.4(c).

In attorney discipline matters, Office of Disciplinary Counsel (“ODC”) bears the burden of proving professional misconduct by clear and convincing evidence. *Office of Disciplinary Counsel v. Anonymous Attorney*, 331 A.3d 523 (Pa. 2025). Upon our independent review of this matter pursuant to Pa.R.D.E. 208(d)(2) and for the reasons that follow, we find no merit to Respondent’s exceptions and conclude that Respondent violated RPC 4.1(a), 8.4(a) and 8.4(c). We direct that a private reprimand be imposed.

I. HISTORY OF PROCEEDINGS

By Petition for Discipline filed on March 18, 2024, ODC alleged that Respondent violated RPC 4.1(a), 8.4(a), 8.4(b), 8.4(c) and Pa.R.D.E. 402(c) relating to a letter Respondent sent to opposing counsel in connection with his representation of certain heirs of the Estate of [REDACTED]. On March 25, 2024, Respondent filed an Answer

to Petition for Discipline.

On June 17, 2024, the Hearing Committee ("Committee") Chair held a prehearing conference. Respondent did not attend. At the time of the disciplinary hearing scheduled for August 27, 2024, Respondent objected to the closed nature of the proceedings and requested that they be open to the public.¹ The Committee granted Respondent's request to open the proceedings and to continue the hearing. A second prehearing conference was held on October 30, 2024, which Respondent attended. The Committee held a disciplinary hearing on December 18, 2024. ODC presented the testimony of ██████ ██████ Esquire (no relation to Respondent) and introduced Exhibits ODC-1 through ODC-8, which were admitted into evidence. Respondent appeared pro se. He testified on his own behalf and offered Exhibits A through K, which were admitted into evidence.

On January 17, 2025, ODC filed a post-hearing brief to the Committee in support of its position that Respondent violated RPC 4.1(a), 8.4(a), 8.4(b), 8.4(c) and Pa.R.D.E. 402(c). ODC requested that the Committee recommend to the Board that Respondent receive a public reprimand. After requesting and receiving an extension of time, Respondent filed a post-hearing brief on March 6, 2025. Respondent maintained that no rules were violated and discipline was not necessary.

By Report filed on April 16, 2025, the Committee concluded that ODC met its burden to establish violation of RPC 4.1(a), 8.4(a) and 8.4(c), and failed to meet its burden to establish violation of RPC 8.4(b) and Pa.R.D.E. 402(c). The Committee weighed aggravating factors relating to Respondent's lack of remorse and failure to acknowledge responsibility and mitigating factors relating to his lack of disciplinary history, dedication

¹ This matter originated from informal proceedings where the Board directed an informal admonition. Respondent rejected that sanction, as was his right, and requested formal charges pursuant to Pa.R.D.E. 208(a)(6). Under the rules, the disciplinary hearing was not open to the public. See Pa.R.D.E. 402(b).

to vigorously representing clients, and community involvement over a long legal career. Balancing the nature of the misconduct with these factors, the Committee recommended that Respondent receive an informal admonition. On May 29, 2025, Respondent filed a brief on exceptions to the Committee's Report and recommendation and requested oral argument before the Board. Respondent contended ODC filed false charges against him and knew they were false. He requested that the Disciplinary Counsel who prosecuted the matter be publicly sanctioned and terminated from employment with ODC, that Respondent receive no sanction, and the case be dismissed. While ODC originally sought a public reprimand, it did not take exceptions to the Committee's findings, conclusions and recommendation. ODC filed a brief opposing Respondent's exceptions on June 4, 2025, and requested that the Board direct the imposition of an informal admonition. Following oral argument before a three-member Board panel on October 14, 2025, the full Board adjudicated this matter at its meeting on October 24, 2025.

II. FINDINGS OF FACT

The Board makes the following factual findings:

1. Respondent was born in [REDACTED] and was admitted to the practice of law in the Commonwealth of Pennsylvania on [REDACTED]. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.
2. Respondent has no record of prior professional discipline.
3. On or about October 12, 2014, [REDACTED] died. Ans. at ¶ 1.

4. On October 23, 2014, Letters Testamentary were issued to Dr. [REDACTED] pursuant to a Will purportedly executed by Mr. [REDACTED] on July 7, 2014 ("July 2014 Will"). The July 2014 Will bequeathed the entire Estate to Dr. [REDACTED] ODC-1 at 000001; ODC-3 at 000028.
5. Representing the eight intestate heirs, Respondent challenged the authenticity of the July 2014 Will and sought to have the letters testamentary revoked. Exhibit K, pp. 2-4.
6. Following lengthy proceedings before the Court of Common Pleas of [REDACTED] County, Pennsylvania at No. 04-14-1068, on March 28, 2019, The Honorable [REDACTED] [REDACTED] specially assigned, determined that the July 2014 Will was not signed by Mr. [REDACTED] that the letters testamentary must be revoked, and that Mr. [REDACTED] died intestate. ODC-1; ODC-2; ODC-3 at 000029; Exhibit K, p. 3.
7. Thereafter, certain intestate heirs were appointed co-administrators of the Estate and separate counsel was appointed to represent those co-administrators going forward, although Respondent continued to represent other certain heirs.² ODC-1 at 000014-15; Exhibit K, p. 4.
8. Funds from the Estate were recovered from Dr. [REDACTED] and placed into an Aligned Partners escrow account. Exhibit K, pp. 4, 16.
9. The Inventory filed indicates the Estate of Mr. [REDACTED] had \$1.8 million. Exhibit F.

² Of the original eight heirs, five terminated their attorney-client relationship with Attorney [REDACTED]. Attorney [REDACTED] continued to represent [REDACTED] [REDACTED] and [REDACTED] described as the "[REDACTED] Heirs" in subsequent proceedings. Exhibit K, p. 5.

10. However, Respondent believed there was cause to investigate that the Estate was actually worth \$5.7 million, primarily based on medical records where Mr. ██████ claimed to have funds in that amount. N.T. at 38, 65; Exhibit D, Exhibit K, p. 7.
11. Respondent initiated proceedings to determine whether there were more assets in the Estate than had been reported by Dr. ██████ when he was Executor and discovery was served to that effect. N.T. at 19-20.
12. Respondent testified he owed it to his clients to go after assets. N.T. 60.
13. In addition, the Estate of ██████ through separate counsel, filed a Praecipe for Writ of Summons against Dr. ██████ and his former attorney, ██████ ODC-2.
14. Attorney ██████ was a witness to the since-invalidated July 2014 Will. ODC-2; ODC-3; Exhibit A.
15. On February 3, 2022, ██████ Esquire entered an appearance on Dr. ██████'s behalf. ODC-1 at 000017; N.T. at 21.
16. By letter dated August 8, 2023, Respondent submitted a disciplinary complaint against Mr. ██████ ODC-3.
17. Against this backdrop, on August 11, 2023, Respondent sent the subject August 2023 Letter to Attorney ██████ stating as follows:

Please take notice that the number and term of the case noted above was the number and term of the PETITION FOR SUR APPEAL in the Lower Court. This is the case that I tried to a successful conclusion against ██████ ██████ and the ██████. That is the same case I am notifying the Parties that their Depositions in Aid of Execution will be taken.

Please tell your clients that it is within my discretion whether to pursue Murder Indictments against them, and in addition to report ██████ to the State Board of Licensing involving his ██████ ██████. Tell them that I am offering them the

opportunity to make the Estate whole in exchange for me not going back to the Government to refile Murder charges and going to the State Board to file charges.

It would be a simple and ethical exchange. I checked with the Ethics Duty Officer. He said this would be legal and ethical. As far as we know, there is over Four (4) Million Dollars missing from the estate. Also, tell them I have reported ██████████ to the Supreme Court Disciplinary Counsel, but only mentioned fraud and forgery, and not Murder. This offer is good if accepted before the depositions begin. I am ready to meet any time. Thank you for your attention.

ODC-5.

18. Following the August 11, 2023 Letter, Respondent received a letter from Disciplinary Counsel dated August 22, 2023, which advised Respondent that “the attorney disciplinary system is confidential.” ODC-4.
19. Respondent reported Mr. ██████████ because he thought it was his duty. N.T. 60.
20. Respondent testified that the basis for the murder charge stemmed from Dr. ██████████’s use of a fraudulent Power of Attorney to provide him with medical authority to terminate Mr. ██████████ life support. N.T. at 61-62; 86; See *also*, 20 Pa.C.S. § 5432 (a) (criminal homicide relating to withdrawal of life-sustaining treatment).
21. Prior efforts by Respondent in 2019 to persuade the Office of Attorney General to pursue criminal charges for Fraud, Forgery, Perjury and Murder, were unsuccessful. Exhibit H; N.T. at 59.
22. At the time of the events in question, Respondent was not employed by the Office of Attorney General, the district attorney or the state police. N.T. at 25-26, 88-89.

23. Respondent understood that he did not have the authority to file “murder” charges as against Dr. [REDACTED] or Mr. [REDACTED] but rather intended to report the crime, for a second time. N.T. at 102-104.
24. Attorney [REDACTED] was not advised of the identity of the “Ethics Duty Officer” referenced in the August 2023 Letter. N.T. at 26.
25. Respondent testified that this “Ethics Duty Officer” was an individual named [REDACTED] [REDACTED] who advised Respondent that, as a private citizen, Respondent could choose whether to report the murder charge to the authorities. N.T. at 60, 91.
26. Respondent did not present the testimony of [REDACTED] or his qualifications as an “Ethics Duty Officer.”
27. The August 2023 Letter did not result in a settlement with Dr. [REDACTED] N.T. at 22-23.
28. Respondent testified on his own behalf at the disciplinary hearing.
29. Prior to his legal career, Respondent served in the Navy. N.T. 48. As a lawyer, Respondent worked as a public defender early in his career and performed some pro bono work. N.T. 54-55, 56.
30. In addition to practicing law, Respondent was a businessman and owned several companies. N.T. 50-51, 57.
31. Respondent has performed extensive charitable work throughout his adult life and legal career. He served on the board of directors for crisis pregnancy centers, supported the Salvation Army since 1956, worked for funds in aid of heart disease and cancer, supported St. Jude Children’s Research Hospital, provided food for homeless people, and supported bar association functions. N.T. 52-53, 58, 77.
32. Respondent is an Evangelical Minister. N.T. 52, 64.

33. Respondent was a lobbyist for the [REDACTED] and helped run an organization called [REDACTED] in the [REDACTED]. These organizations worked for [REDACTED]. N.T. 53. Respondent was not paid for his services to these organizations. N.T. 53-54.
34. Respondent expressed no remorse for his actions.
35. During cross-examination, Disciplinary Counsel asked Respondent: "It's fair to say you don't think you did anything wrong; correct?" Respondent testified: "That's correct." Disciplinary Counsel then asked: "And you have been consistent on that point; correct?" Respondent answered: "You bet." N.T. 96.
36. Respondent blames ODC and Disciplinary Counsel for these proceedings and believes they have acted improperly toward him.
37. Respondent believes he has not been treated fairly by ODC and they have not been "consistent" with him. N.T. 108. He claims that ODC is "immune from accountability, the height of hypocrisy." N.T. 83.
38. In Respondent's brief to the Committee, he calls Disciplinary Counsel "petty" and "angry" and states that Disciplinary Counsel's "ego and pride have been hurt." Brief, pp. 1, 5-6. He claims ODC is prejudging him and Disciplinary Counsel's words are "empty." Brief, pp. 4, 12.
39. In Respondent's brief on exceptions, he again claims that ODC is not accountable. Brief, p. 5. He claims that ODC brought charges against him that they knew or should have known to be false. Brief, p. 1. He calls for Disciplinary Counsel to be sanctioned and terminated from employment with ODC. Brief, p. 6.
40. Respondent repeated many of his claims during oral argument on October 14, 2025. 10/14/25 N.T. 8, 14-15, 18, 20.

III. CONCLUSIONS OF LAW

By his conduct as set forth above, Respondent violated the following Rules of Professional Conduct:

1. RPC 4.1(a) – In the course of representing a client, a lawyer shall not knowingly make a false statement of material fact or law to a third person.

2. RPC 8.4(a) – It is professional misconduct for a lawyer to violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.

3. RPC 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation, except that a lawyer may advise, direct, or supervise others, including clients, law enforcement officers, and investigators who participate in lawful investigative activities.

ODC failed to establish by clear and convincing evidence that Respondent violated the following Rule of Professional Conduct and Pennsylvania Rule of Disciplinary Enforcement:

1. RPC 8.4(b) - It is professional misconduct to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.

2. Pa.R.D.E. 402(c) - Until the proceedings are open as specified in the rule, all proceedings involving allegations of misconduct by or disability of an attorney shall be kept confidential unless certain exceptions apply.

IV. DISCUSSION

Respondent's Misconduct

Respondent represented certain heirs of the Estate of [REDACTED]. The instant disciplinary matter originated from a letter dated August 11, 2023 ("August 2023 Letter"), sent by Respondent to opposing counsel [REDACTED] in connection with the representation. The August 2023 letter followed lengthy and complex Will contest proceedings before the Orphans' Court in [REDACTED] County, Pennsylvania. The proceedings ultimately resulted in a finding in favor of Respondent's clients which invalidated a Will purportedly executed by the decedent that named Dr. [REDACTED] [REDACTED] the sole beneficiary. Following Dr. [REDACTED]'s removal as Executor, Respondent maintained that funds were missing from the Estate, which prompted Respondent's August 2023 Letter. Distilled to its essence, the letter threatened to "pursue Murder Indictments" if the funds were not returned and advised that Respondent had filed a disciplinary complaint against [REDACTED] the attorney who was a witness to the invalidated Will.

RPC 4.1(a), 8.4(a) and 8.4(c)

The August 2023 Letter violated the rules in several material aspects. Respondent's statement that "it is within my discretion whether to pursue Murder Indictments," was false and misleading as it implied that Respondent held some authority over whether such charges would be filed against Dr. [REDACTED]. The impact of this false impression was intensified by Respondent's statement that in exchange for the return of estate funds, Respondent would "not go[] back to the Government to refile Murder

charges,” and that he “checked with the Ethics Duty Officer. He said this would be legal and ethical.” ODC-5. Without any further context, the statement implied that Respondent had consulted with an authoritative figure who advised that no criminal prosecution for murder would occur if the funds were turned over, in a “legal and ethical” exchange. ODC-5.

The record evidence established that the reality of the matter was not what the August 2023 Letter implied. Respondent had no authority over whether to pursue murder charges against Dr. ██████████. Respondent held no public office and was not employed by any government agency entrusted with the authority to prosecute criminal offenses. Rather, as Respondent freely admitted, he only had the ability to report Dr. ██████████’s conduct to the authorities, and in fact had already reported Dr. ██████████ to the authorities in 2019 with no success. Simply put, whether a criminal prosecution was or was not in Dr. ██████████’s future was not in the hands of Respondent.

Likewise, no evidence was presented as to the amorphous “Ethics Duty Officer” who advised Respondent that it was a “legal and ethical exchange” to barter away his purported prosecutorial discretion for the payment of money. Rather, Respondent testified at the hearing that an individual named ██████████ without any evidence of his qualifications or service as an “Ethics Duty Officer”—advised him only that any citizen can report anybody and there is no requirement to be a public official. See N.T. 101.

Respondent’s words—made in the context of a threat of a murder prosecution and hence one of the most intimidating threats a person can receive—were material. While we acknowledge Respondent’s successful representation of his clients in having the July 2014 Will invalidated, we nonetheless find that the threatening August 2023 Letter crossed an acceptable line beyond zealous advocacy. Respondent had an ethical

obligation under RPC 4.1(a) and 8.4(c) to be truthful and to avoid misleading statements. The record evidence demonstrated that Respondent understood the import of his words and knowingly failed to provide the appropriate context in order to increase the pressure upon Dr. [REDACTED]

By these misrepresentations, including through misleading statements and omissions, we conclude that Respondent violated RPC 4.1(a), 8.4(a) and 8.4(c).

RPC 8.4(b) and Pa.R.D.E. 402(c)

The Committee found that ODC did not establish violations of Rule 8.4(b) and Rule 402(c). ODC did not take exception to these conclusions. Our independent review confirms the Committee's conclusions. Respondent's August 2023 Letter was false and misleading in violation of Rule 4.1(a) and 8.4(c), but on the record evidence, it did not rise to the level of criminal extortion that would violate Rule 8.4(b)'s prohibition on a lawyer committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness. Section 3923, entitled Theft by Extortion, provides that a person is guilty of theft if he intentionally obtains or withholds property of another by threatening to accuse anyone of a criminal offense or cause an official to take or withhold action. See 18 Pa.C.S. § 3923(a)(2), (4). However, prosecution on the basis of subparagraphs (2) and (4), as would be the case here, are subject to the defense of restitution, where "the property obtained by threat of accusation, exposure, lawsuit or other invocation of official action was honestly claimed as restitution or indemnification for harm done in the circumstances to which such accusation, exposure, lawsuit or other official action relates...." 18 Pa.C.S. § 3923 (b).

Here, the "property" that Respondent sought to obtain through the threat of criminal prosecution consisted of funds which Respondent maintained were stolen from the Estate

by Dr. ██████████ and therefore, consisted of “restitution” to the Estate. The alleged charge of murder could broadly be construed as part of the “circumstances to which such accusation, exposure, lawsuit or other official action relates...” Specifically, Respondent testified that Dr. ██████████ not only forged the July 2014 Will, but utilized a fraudulent Power of Attorney to provide him the authority to terminate Mr. ██████████ life support, all in a broader scheme to steal money, which occurred both during Mr. ██████████ life and after his death. N.T. 61-62, 89. To be clear, we offer no comment on the truth or sufficiency of the evidence pertaining to Respondent’s allegations of missing funds from the Estate or charges of “murder”; we merely find that Respondent held an honest belief that such conduct occurred, or at least may have occurred.

As to violation of Rule 402(c), in our view, Respondent’s single statement in his August 2023 Letter that he filed a complaint against another attorney, without more, is de minimus. We note that ODC quickly advised Respondent by letter that “the attorney discipline system is confidential.” There is no evidence that Respondent made further disclosures relating to his complaint against Attorney ██████████ We contrast Respondent’s action to a recent matter, where an attorney admitted that she violated Pa.R.D.E. 402(c) when she revealed in a public filing in a matter before the Environmental Hearing Board that a third person, not herself, had filed a disciplinary complaint against a lawyer. *Office of Disciplinary Counsel v. Lisa Ann Johnson*, No. 111 DB 2023 (D. Bd. Rpt. 3/31/2025) (S. Ct. Order 8/19/2025).

Appropriate Discipline

Having determined that Respondent engaged in professional misconduct, we next consider the appropriate quantum of discipline, keeping in mind that the primary purpose

of Pennsylvania's system of lawyer discipline is to protect the public from unfit attorneys and to maintain the integrity of the legal system. *Office of Disciplinary Counsel v. John J. Keller*, 506 A.2d 872 (Pa. 1986). It is well-established that when imposing discipline, each case must be decided individually on its own unique facts and relevant circumstances, "being mindful of the need for consistency in the results reached in disciplinary cases so that similar misconduct is not punished in radically different ways." *Office of Disciplinary Counsel v. Robert Lucarini*, 472 A.2d 186, 190 (Pa. 1983). The analysis under *Lucarini* requires weighing any aggravating and mitigating factors.

This record established several aggravating factors. Foremost, Respondent failed to demonstrate basic comprehension as to why his conduct was ethically wrong, failed to take any accountability for his actions, and displayed an utter lack of remorse. Respondent stood fast in his refusal to acknowledge his wrongdoing. As to any remorse, Respondent testified that he did not think he did anything wrong and plainly stated his position in his brief: "Respondent couldn't possibly have any remorse for doing the right thing, which was aggressively and passionately protecting the rights of my clients. FYI - I will resume very shortly to aggressively and passionately protect the rights of my clients." See Respondent's Brief to Hearing Committee, p. 5. Respondent failed to grasp that his August 2023 Letter went beyond permitted zealous advocacy and violated the ethical rules that govern the legal profession. The record evidence demonstrated that throughout these proceedings, Respondent never contemplated how the August 2023 Letter could have been misconstrued or how he could have rephrased it to provide a more accurate description of his position within the bounds of permitted advocacy. Respondent's refusal to acknowledge his unethical conduct and his lack of contrition are aggravating factors. See *Office of Disciplinary Counsel v. Kimberly Ann Furmanek*, No. 154 DB 2023 (D. Bd.

Rpt. 6/3/2025) (S. Ct. Order 9/4/2025).

We are also disturbed by Respondent's focus on Disciplinary Counsel, rather than the facts underpinning the charges in this matter. Respondent exhibited a level of stridency in his advocacy that culminated in his brief on exceptions to the Board that accused ODC of knowingly bringing false charges against him and requested that Disciplinary Counsel be sanctioned and terminated from employment. See Respondent's Brief on Exceptions, pp. 1, 5, 6. Respondent's actions are unprofessional, demonstrate disrespect for the disciplinary system, and serve to aggravate the discipline to be imposed in this matter. See *Office of Disciplinary Counsel v. Robert J. Murphy*, 206 DB 2016 (D. Bd. Rpt. 9/3/2019) (S. Ct. Order 12/19/2019).

Against the backdrop of Respondent's misconduct and the troubling aggravating circumstances, we consider that Respondent has practiced law for nearly 60 years with no record of professional discipline. Respondent engaged in substantial service to his community throughout his adult life and during his lengthy legal career. In addition to his legal career, Respondent served in the Navy, was a businessman who owned several companies, and currently serves as an Evangelical Minister. He was a public defender at an earlier point in his law career and engaged in pro bono work. He has been involved in significant charitable work in his local community and for the Salvation Army and St. Jude Children's Research Hospital. Respondent volunteered his time and efforts to the [REDACTED] and helped run an organization called [REDACTED], with the goal of working for peace in the [REDACTED]. Respondent's unblemished legal career and extensive community service are compelling mitigating factors. See *Office of Disciplinary Counsel v. Michael B. Fein*, No. 147 DB 2018 (D. Bd. Rpt. 3/5/2020, pp. 53-54) (S. Ct. Order 6/29/2020) ("lawyers

who have practiced for five decades without discipline, and who have contributed their time and talents to pro bono and volunteer causes deserve to have those facts weighed in their favor.”)

In measuring the appropriate discipline, we consider the Committee’s recommendation for an informal admonition. The Committee recognized that Respondent vigorously represented his clients in the estate matter but unethically crossed the line of zealous advocacy with his August 2023 letter. The Committee reasoned that an informal admonition would remind Respondent that in an aggressive representation of a client, he still has a duty to avoid false or misleading statements. The Committee balanced the nature of Respondent’s misconduct with the aggravating and mitigating factors in reaching its conclusion that the lowest form of private discipline, an informal admonition, is fitting.

We concur with the Committee that private discipline is warranted based on the totality of the facts and circumstances but conclude that private reprimand is appropriate here. This conclusion is confirmed by our survey of the precedent. Initially, we note there are few disciplinary matters that have resulted in private discipline after formal charges with a hearing before a Committee and adjudication by the full Board. Therefore, the case law is limited. Of the precedent that we surveyed, we find no analogous case but observe that private reprimand has been imposed to address a range of misconduct, including violation of RPC 8.4(c). See *Office of Disciplinary Counsel v. Anonymous*, No. 94 DB 2008 (D. Bd. Order 11/30/2010) (private reprimand imposed on respondent who violated RPC 3.3(d), 8.4(c), and 8.4(d) by making an intentional and material misrepresentation of fact to a judicial officer while the respondent was acting in the capacity of a Humane Society Police Officer; the Board considered respondent’s lack of contrition as an

aggravating factor—when asked by the Board at oral argument whether respondent understood that the language she used in the affidavit could have been improved upon, respondent disagreed); *Office of Disciplinary Counsel v. Anonymous*, No. 129 DB 2016 (D. Bd. Order 1/9/2018) (private reprimand imposed on respondent for violating multiple ethical rules, including RPC 8.4(c), for misconduct involving neglect, lack of diligence, dishonesty and conduct prejudicial to the administration of justice in representing the executor of an estate). We observe that like the instant matter, the cited cases involved a respondent with no record of prior discipline who engaged in misconduct in one matter.

Respondent's demeanor also provides a strong basis for the Board's determination that private reprimand, rather than informal admonition, is appropriate discipline. Respondent's rash attacks on Disciplinary Counsel and sneering comments about ODC render an informal admonition an ineffective sanction. Respondent has made clear his belief that he has been treated unfairly by ODC and does not and will not accept ODC's authority; directing that he appear before the Chief Disciplinary Counsel to be sanctioned would be a futile exercise and would not fulfill a primary purpose of the disciplinary system to maintain the integrity of the legal system. Instead, Respondent must appear before the Disciplinary Board to receive his disciplinary sanction.

It is the position of our dissenting colleagues that a public reprimand is warranted under the circumstances of this matter. As well, we are cognizant that it was at Respondent's direct request that his confidential proceedings were opened to the public. While perhaps it would be fitting to give Respondent the publicity he desires and impose a public reprimand, in our view, based on his statements at the disciplinary hearing and at oral argument, Respondent seeks a public platform to air his grievances against ODC. This Board will not provide him that platform. It is our hope that Respondent will heed the

Board's determination, accept this private reprimand, and avoid any further behavior that would necessitate more severe discipline.

In any event, and most critically, the precedent does not support the imposition of public discipline in the form of a public reprimand when considering the nature of Respondent's misconduct in one matter and the significant mitigation. Generally, public reprimands have been imposed to address more serious acts of misconduct than in the instant matter, or where matters have involved multiple client complaints, or where the respondent has a record of prior discipline. *See, e.g., Office of Disciplinary Counsel v. Ian J. Musselman*, No. 66 DB 2025 (D. Bd. Order 8/7/2025); *Office of Disciplinary Counsel v. Patrick C. Carey*, No. 56 DB 2022 (D. Bd. Order 7/30/2024); *Office of Disciplinary Counsel v. Andrew B. Shaw*, No. 38 DB 2024 (D. Bd. Order 4/5/2024); *Office of Disciplinary Counsel v. Brian Frederick Levine*, No. 23 DB 2022 (D. Bd. Order 9/20/2023).

Upon this record and after considering the goals of the disciplinary system and the established precedent to ensure the application of consistent discipline, the Board concludes that private reprimand is warranted.

V. DETERMINATION

The Disciplinary Board of the Supreme Court of Pennsylvania determines that the Respondent, [REDACTED] shall receive a Private Reprimand.

The expenses incurred in the investigation and prosecution of this matter shall be paid by the Respondent.

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

S/Ryan J. Cassidy

By: _____
Ryan J. Cassidy, Member

03/19/2026

Date: _____

Chair Senoff and Members Alfano, Dee and Ellsworth dissent in favor of a public reprimand.

Vice Chair Vance and Members Cooper and Mongeluzzi recused.

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 9 DB 2024
Petitioner :
 :
v. : Attorney Registration No. [REDACTED]
 :
[REDACTED] :
Respondent : ([REDACTED] County)

DISSENTING STATEMENT

A majority of the Board has determined that a private reprimand be imposed on Respondent for his ethical violations arising from a threatening letter he sent to opposing counsel in connection with an estate matter. I respectfully dissent in favor of a public reprimand.

In a misguided attempt to secure a favorable resolution of an estate dispute, Respondent threatened the opposing parties with criminal prosecution, asserting that it was within his “discretion to file murder indictments against” them. As my colleagues in the majority acknowledge, this statement was false. Respondent had no authority—let alone any discretion—“to file ... indictments” against anyone, at any time, for anything. In this same communication, Respondent boasted that he had reported an opposing party, a dentist, to the State Board of Licensing. He also proclaimed that he had reported prior opposing counsel—evidently without any basis—to “the Supreme Court Disciplinary Counsel.” Respondent’s tactic was patent: threaten the other side to settle the case on his terms or face the consequences of criminal charges and professional regulatory complaints, irrespective of the merits of the underlying dispute.

Aware that he was on ethically shaky ground, Respondent attempted to legitimize his conduct by claiming that he had cleared his actions with the “Ethics Duty Officer,” a fictitious person holding a fictitious position. Implicitly acknowledging the falsity of this assertion, Respondent later claimed that he had actually consulted a random private citizen. This private citizen purportedly told Respondent that he could choose whether to report the alleged murder—gratuitous advice, insofar as Respondent had previously, and unsuccessfully, attempted to persuade prosecutors to pursue murder charges against the opposing parties.

If Respondent’s self-aggrandizing fantasies about his prosecutorial authority and ethical rectitude were the only concerns, I might have agreed with the majority’s determination that a private reprimand is the appropriate sanction, particularly given Respondent’s lack of prior discipline over the course of a lengthy career. As the majority also acknowledges, however, Respondent has been openly hostile and disrespectful toward ODC throughout these proceedings.

Respondent has shown no remorse, no contrition, and not the slightest understanding that he has violated the Rules of Professional Conduct. Demonstrating his complete lack of self-awareness, he insists that ODC is responsible for his present predicament. In my view, privately telling him that he is wrong will have little, if any, salutary effect.

Finally, Respondent has actually demanded that his confidential disciplinary proceedings be opened to the public. He should be granted his wish and publicly reprimanded. While the majority is justifiably concerned that Respondent may attempt to use a public proceeding as a platform to continue his attacks on ODC, Respondent’s only

function at any reprimand—private or public—is to listen attentively to his professional rebuke. Respondent is not entitled to offer any response or rebuttal. Should he be so imprudent as to use a public reprimand as an unauthorized forum to air his purported grievances against ODC, he should recognize that he may face further discipline for any such misconduct.

For the foregoing reasons, a public reprimand is warranted.

Respectfully submitted,

S/Gaetan J. Alfano

By: _____
Gaetan J. Alfano, Member

03/19/2026

Date: _____

Member Dee joins this dissenting statement.