

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**ORDER**

**LD-2006-0011, In the Matter of Thomas M. Walsh**

On November 29, 2006, the Professional Conduct Committee (PCC) filed a petition seeking the disbarment of the respondent, Attorney Thomas M. Walsh. The court issued an order which required that the petition be sent to the respondent by first class and certified mail and that the respondent file an answer to the petition within 30 days of service. The return receipt, signed by the respondent, was received by the court on January 4, 2007. No answer to the petition has been filed.

Rule 37(16)(c) provides that if a respondent attorney fails to answer a petition filed by the Professional Conduct Committee, the allegations of the petition "shall be deemed to be admitted and no further hearing shall be required." In this case, the petition alleged violations of the following Rules of Professional Conduct:

- (1) Rule 8.1(b). This rule requires a lawyer involved in a disciplinary matter to respond to a lawful demand for information. The PCC alleged that the respondent violated this rule when he failed to respond to the Attorney Discipline Office's letter of complaint.
- (2) Rule 8.4(b) and (c). Rule 8.4(b) makes it professional misconduct to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer, and Rule 8.4(c) makes it professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit, or misrepresentation. The PCC alleged that the respondent violated these rules by signing the name of a former client to a power of attorney without the former client's knowledge or consent; and by utilizing the power of attorney to obtain a loan from another person. The PCC alleged that the respondent's conduct constituted clear and convincing evidence of forgery.
- (3) Rule 8.4(a). This rule makes it professional misconduct to violate the Rules of Professional Conduct.

In accordance with Rule 37(16)(c), the committee's allegations are deemed admitted.

Based on the serious nature of the violations and on Attorney Walsh's failure to cooperate with the Attorney Discipline Office and to respond to the court's order, the court concludes that disbarment is the appropriate sanction in this case.

THEREFORE, the court orders that Thomas M. Walsh be disbarred from the practice of law in New Hampshire. Attorney Walsh is hereby assessed all expenses incurred by the Professional Conduct Committee in the investigation and prosecution of this matter.

Broderick, C.J., and Dalianis, Duggan, and Galway, JJ., concurred.

DATE: February 20, 2007

ATTEST:

  
Eileen Fox, Clerk

Distribution:  
Professional Conduct Committee  
Thomas M. Walsh, Esquire  
✓ Landya B. McCafferty, Esquire  
Margaret H. Nelson Chair  
Debbie Bills, Supreme Court  
NH Bar Association  
File