

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**ORDER**

**LD-2007-0003, In the Matter of Michael G. Balocca**

On April 12, 2007, the Attorney Discipline Office filed a certified copy of the March 20, 2007 order of the Supreme Court of the State of Oregon, which suspended Attorney Michael G. Balocca from the practice of law in Oregon for a period of ninety days.

In accordance with Supreme Court Rule 37(12)(b), the court ordered that a copy of the March 20, 2007 order be served on Attorney Balocca. It further ordered that Attorney Balocca and the Professional Conduct Committee (PCC) inform the court if either contended that the imposition of identical or substantially similar discipline would be unwarranted.

The court's order was sent by first class and certified mail to Attorney Balocca to the latest address that he provided to the bar association. Both copies of the court's order were returned. In accordance with Rule 37(16)(b), service upon Attorney Balocca at the latest address provided to the New Hampshire Bar Association is deemed to be sufficient. Attorney Balocca has filed no response to the court's order.

The PCC advised the court that it does not object to the imposition of identical or substantially similar discipline.

Rule 37(12)(d) provides for the imposition of reciprocal discipline by the court unless the respondent attorney or the PCC demonstrates, or the court finds, based on the face of the record from which the discipline is predicated, that: (1) the procedure followed by the jurisdiction imposing discipline was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; (2) that the imposition of the same or substantially similar discipline by the court would result in grave injustice; or (3) that the misconduct established warrants substantially different discipline in New Hampshire. The court has reviewed the order of the Supreme Court of the State of Oregon and it does not find that any of these conditions have been established.

Accordingly, as provided in Rule 37(12), Michael G. Balocca is hereby suspended from the practice of law in New Hampshire for a period of ninety days, effective immediately. Any motion for reinstatement will be governed by

Rule 37(14)(f). Attorney Balocca is hereby assessed all expenses incurred by the Professional Conduct Committee in the investigation and prosecution of this matter. See Rule 37(19).

On or before August 1, 2007, the Attorney Discipline Office shall advise the court whether the appointment of an attorney is necessary to take possession of any client files or trust accounts.

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

DATE: July 12, 2007

ATTEST:

  
\_\_\_\_\_  
**Eileen Fox, Clerk**

Distribution:

James L. DeHart, Esquire  
Michael G. Balocca, Esquire  
Landya B. McCafferty, Esquire  
NH Bar Association  
Debbie Bills, Supreme Court  
File