

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**In Case No. LD-2009-0009, In the Matter of Joseph M. Carreiro, Jr., the court on February 5, 2010, issued the following order:**

Respondent's motion for reconsideration is denied. Accordingly, the court's decision imposing a two-year suspension commences immediately. The commencement date of the suspension is February 5, 2010.

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

**Eileen Fox,  
Clerk**

Distribution:

Thomas V. Trevethick, Esq.  
Joseph M. Carreiro, Jr.  
Professional Conduct Committee  
Sherri Kluesener, Supreme Court  
NH Bar Association x4  
File

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**ORDER**

**LD-2009-0009, In the Matter of Joseph M. Carreiro, Jr.**

On October 29, 2009, the Attorney Discipline Office filed a certified copy of the February 4, 2009 order of the Massachusetts Supreme Judicial Court for Suffolk County, suspending Attorney Joseph M. Carreiro, Jr. from the practice of law in Massachusetts for a period of two years. The discipline was based upon the finding that Attorney Carreiro violated the Massachusetts Rules of Professional Conduct by failing to promptly turn over to the law firm that employed him funds that he received on the law firm's behalf; by converting the law firm's funds to his own use; by failing to account to the law firm for the funds that he received on its behalf; and by making false statements and providing falsified documents to the law firm about the funds that he had converted.

In accordance with Supreme Court Rule 37(12)(b), the court ordered that a copy of the February 4, 2009 disciplinary order be served on Attorney Carreiro. It further ordered that Attorney Carreiro 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 PCC notified the court that it did not intend to file a response to the court's order. Attorney Carreiro filed no response.

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) the imposition of the same or substantially similar discipline by the court would result in grave injustice; or (3) the misconduct established warrants substantially different discipline in New Hampshire.

Having reviewed the order of the Massachusetts Supreme Judicial Court for Suffolk County, the court does not find that any of these conditions have been met. It appears from the material filed that Attorney Carreiro had an opportunity to be heard in the Massachusetts proceedings. In light of the seriousness of Attorney Carreiro's misconduct, the court does not find that the imposition of a two-year suspension would result in grave injustice or that his misconduct would warrant substantially different discipline in New Hampshire.

Accordingly, the court concludes that a reciprocal two-year suspension should be imposed.

Therefore, the court orders that Joseph M. Carreiro, Jr., be suspended from the practice of law in New Hampshire for a period of two years. The suspension shall commence when this order becomes final and shall not be retroactive.

Any motion for reinstatement will be governed by Rule 37(14)(f). Attorney Carreiro 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 February 19, 2010, 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, Hicks and Conboy, JJ., concurred.

DATE: January 20, 2010

ATTEST:



**Eileen Fox, Clerk**

Distribution:  
Thomas V. Trevethick, Esq.  
Joseph M. Carreiro, Jr.  
Professional Conduct Committee  
File