

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**ORDER**

**LD-2012-0001, In the Matter of Daniel S. Braese**

On January 4, 2012, the Attorney Discipline Office filed a certified copy of the December 8, 2011 judgment of the Supreme Judicial Court for Suffolk County (Massachusetts), disbaring Attorney Daniel S. Braese. A summary prepared by the Massachusetts Board of Bar Overseers filed with the judgment states that Attorney Braese was charged by information in United States District Court for the District of Massachusetts with bank fraud and making false statements in Federal Housing Administration transactions. It also states that on November 15, 2011, Attorney Braese filed a waiver of hearing and consent to disbarment in the Supreme Judicial Court.

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. In accordance with this provision, the court issued an order providing Attorney Braese with the opportunity to show why the imposition of discipline identical or substantially similar to that imposed by the Supreme Judicial Court for Suffolk County (Massachusetts) would be unwarranted. Attorney Braese filed no response to the order.

Having reviewed the order of the Supreme Judicial Court for Suffolk County, the court does not find that any of the conditions set forth in Rule 37(12)(d) have been met. It appears from the order that Attorney Braese had an opportunity to be heard in the Massachusetts disciplinary proceedings and that he consented to the disbarment. In light of the seriousness of Attorney Braese's misconduct, the court does not find that disbarment would result in grave injustice or that his misconduct would warrant substantially different discipline in New Hampshire.

Therefore, the court orders that Attorney Daniel S. Braese be disbarred from the practice of law in New Hampshire. Attorney Braese 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 May 24, 2012, the Attorney Discipline Office shall advise the court whether the appointment of an attorney is necessary to protect the interests of Attorney Braese's clients.

Dalianis, C.J., and Hicks, Conboy and Lynn, JJ., concurred.

DATE: May 4, 2012

ATTEST:

  
**Eileen Fox, Clerk**

Distribution:  
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