

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2016-0007, In the Matter of Peter A. Riley, Esquire

On April 5, 2016, the Professional Conduct Committee (PCC) filed a recommendation that Attorney Peter A. Riley be disbarred. An order of notice was issued, in accordance with Supreme Court Rule 37(16), notifying Attorney Riley and Disciplinary Counsel of the PCC's recommendation and advising them to notify the court of any legal or factual issues relating to the PCC's recommendation that they wished the court to review. The order stated that if neither party identified an issue to be reviewed, no further hearing would be required, and the court could decide the matter based upon the record of the PCC proceedings. No response to the order has been filed.

The PCC found by clear and convincing evidence that Attorney Riley violated the following Rules of Professional Conduct:

1. Rule 3.3 prohibits a lawyer from making false statements of fact or law to a tribunal and prohibits a lawyer from offering evidence that the lawyer knows to be false. The PCC found that Attorney Riley knowingly and intentionally failed to adequately disclose in financial affidavits, which he filed in a post-divorce matter, the existence of and/or the amounts of money that he had in three accounts. It also found that he knowingly and intentionally provided inaccurate financial affidavits to a family division court and offered evidence that he knew to be false;
2. Rule 3.4, among other things, prohibits a lawyer knowingly disobeying an obligation under the rules of a tribunal, and from failing to make a reasonably diligent effort to comply with a legally proper discovery request by an opposing party. The PCC found that Attorney Riley violated this rule when he knowingly disobeyed his obligation to be accurate and truthful in the financial affidavits that he filed in accordance with family division rules and when he failed to make a reasonably diligent effort to ascertain the balances in his bank accounts when submitting information to the family division court in post-divorce proceedings;
3. Rule 8.4(c) prohibits a lawyer from engaging in conduct involving deceit, dishonesty, or misrepresentation. The PCC

found that Attorney Riley violated this rule by intentionally and knowingly filing false financial affidavits with the family division court; and

4. Rule 8.4(a) prohibits a lawyer from violating the Rules of Professional Conduct. The PCC found that Attorney Riley violated this rule by violating the above Rules of Professional Conduct.

The court has reviewed the PCC's recommendation and the record of its proceedings, and it accepts the PCC's finding and rulings. After considering the nature, seriousness, and extent of Attorney Riley's misconduct, the court concludes that disbarment is the appropriate sanction in this case.

THEREFORE, the court orders that Peter A. Riley be disbarred from the practice of law in New Hampshire. He is hereby assessed all expenses incurred by the Professional Conduct Committee in the investigation and prosecution of this matter.

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

DATE: June 14, 2016

ATTEST:



Eileen Fox, Clerk

Distribution:
Professional Conduct Committee, 13-035
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File