

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

O R D E R

LD-2017-0007, In the Matter of Jeremy A. Miller, Esquire

On June 23, 2017, the Professional Conduct Committee (PCC) filed a recommendation that the respondent, Attorney Jeremy A. Miller, be disbarred and that he be ordered to reimburse the PCC for all costs of investigation and prosecution of this matter. A copy of the PCC's record of proceedings was also filed with this court. After the PCC filed its recommendation, an order was issued, in accordance with Supreme Court Rule 37(16), notifying Attorney Miller 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. The order was sent by both first class and certified mail to Attorney Miller at the latest address that he provided to the New Hampshire Bar Association. See Rule 37(16)(c). In accordance with Rule 42E(c), Attorney Miller is deemed to have received this notice. No response to the order has been filed.

The PCC found that Attorney Miller violated the following Rules of Professional Conduct:

1. Rule 1.1, which generally requires a lawyer to provide competent representation to a client;
2. Rule 1.3, which generally requires a lawyer to act with reasonable diligence and promptness in representing a client;
3. Rule 1.4, which generally requires a lawyer to inform and consult with a client;
4. Rule 1.5(a), which prohibits a lawyer from charging or collecting an unreasonable fee;
5. Rule 1.7, which generally prohibits a lawyer from representing a client if the representation involves a concurrent conflict of interest;
6. Rule 1.15, which requires a lawyer to safeguard the property of clients or third persons in his possession;
7. Rule 1.16(d), which generally requires a lawyer terminating representation to take steps to protect the client's interest and refund payments of fees that have not been earned;
8. Rule 1.19, which generally requires a lawyer to inform a client if the lawyer does not maintain professional liability insurance in certain amounts;

9. Rule 3.3, which prohibits a lawyer from making false statements of fact or law to a tribunal;
10. Rule 3.4(c), which prohibits a lawyer from knowingly disobeying an obligation under the rules of a tribunal;
11. Rule 4.1, which generally prohibits a lawyer from making false statements of material fact or law to a third person;
12. Rule 5.3, which sets forth responsibilities of a lawyer regarding nonlawyer assistance;
13. Rule 8.1(b), which prohibits a lawyer from knowingly failing to respond to a lawful demand for information from a disciplinary authority;
14. Rule 8.4(b), which makes it professional misconduct to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;
15. Rule 8.4(c), which prohibits a lawyer from engaging in conduct involving deceit, dishonesty, or misrepresentation;
16. Rule 8.4(a), which prohibits a lawyer from violating the Rules of Professional Conduct; and
17. Supreme Court Rules 50 and 50A, which set forth requirements for a lawyer with respect to trust accounts.

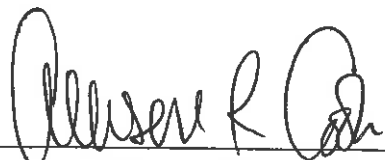
The court has reviewed the PCC's recommendation that Attorney Miller be disbarred and the record provided. After considering the nature, seriousness, and extent of Attorney Miller's misconduct, the court concludes that disbarment is the appropriate sanction in this case.

THEREFORE, the court orders that Jeremy A. Miller 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 and Lynn, JJ., concurred.

DATE: August 9, 2017

ATTEST:


for **Eileen Fox, Clerk**

Distribution:

Attorney Discipline Office,

13-007; 14-029; 15-025; 15-035; 15-051; 16-008; 16-032; 16-047

Jeremy A. Miller, Esquire

David M. Rothstein, Esquire

Attorney Discipline Office

File