

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**ORDER**

**LD-2018-0001, In the Matter of Zachary A. Cross, Esquire**

On June 13, 2016, the court suspended Attorney Zachary A. Cross from the practice of law for a period of three years, conditioned on his compliance with several conditions recommended by the Professional Conduct Committee (PCC). One of the conditions imposed by the court was the requirement that Attorney Cross comply with the terms of a Monitoring Agreement that he entered into with the New Hampshire Lawyers Assistance Program. The Monitoring Agreement required, among other things, that Attorney Cross refrain from using illegal drugs.

In January 2018, the Attorney Discipline Office (ADO) filed a motion to impose disbarment with the PCC, asserting that Attorney Cross had used illegal drugs after his suspension. The ADO contended that Attorney Cross's conduct violated the Monitoring Agreement and Rule 8.1(b) of the Rules of Professional Conduct; it argued that Attorney Cross should be disbarred. The ADO's motion stated that Attorney Cross did not object to the imposition of disbarment.

The PCC approved the ADO's finding that Attorney Cross's conduct violated Rule 8.1(b), and it recommended to the court that Attorney Cross be disbarred. The court issued an order to notify Attorney Cross and the ADO of the PCC's recommendation and to provide them with an opportunity to identify any issues related to the PCC's recommendation that they wished the court to review. Neither Attorney Cross nor the ADO filed a response to the order.

The court has reviewed the motion to impose disbarment and the PCC's recommendation that Attorney Cross be disbarred. After considering the nature and seriousness of Attorney Cross's misconduct, the court concludes that disbarment is the appropriate sanction in this case.

THEREFORE, the court orders that Zachary A. Cross be disbarred from the practice of law in New Hampshire.

Lynn, C.J., and Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

DATE: May 18, 2018

ATTEST:

  
**Eileen Fox, Clerk**

Distribution:  
Zachary A. Cross, Esquire  
Sara S. Greene, Esquire  
David M. Rothstein, Esquire  
File

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