

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2018-0006, In the Matter of Stephen Males, Jr., Esquire

On May 20, 2004, the Attorney Discipline Office (ADO) notified the court that the respondent, Attorney Stephen Males, Jr., had been convicted of 11 counts of wire fraud in the United States District Court for the Southern District of New York. The court suspended the respondent from the practice of law on an interim basis on May 21, 2004, and he has remained suspended since that time.

On May 17, 2018, the ADO notified the court that the respondent's convictions had been affirmed on appeal. It asked the court to institute a formal disciplinary proceeding in accordance with Rule 37(9)(d).

The respondent's conviction for wire fraud constitutes a "serious crime," as that term is defined in Supreme Court Rule 37(9)(b). Subparagraph 9(d) of Rule 37 provides that "[u]pon the receipt of a certificate of conviction of an attorney for a 'serious crime,' the court may, and shall if suspension has been ordered pursuant to subsection (a) above, institute a formal disciplinary proceeding by issuing an order to the attorney to show cause why the attorney should not be disbarred as result of the conviction."

In accordance with this rule, the court issued an order on June 11, 2018, requiring the respondent to show cause why he should not be disbarred as a result of the conviction. Copies of the order were sent by first class and certified mail to the address that the respondent had provided to the New Hampshire Bar Association. Both copies of the order were returned as undeliverable. The respondent has not filed a response to the court's show cause order.

Rule 42E(c) requires an attorney admitted to practice in New Hampshire to notify the New Hampshire Bar Association of his office address, residential address, and email address. It provides that notice sent to an address provided by the attorney shall be deemed sufficient notice of court action. In accordance with Rule 42E(c), the respondent is deemed to have notice of this proceeding.

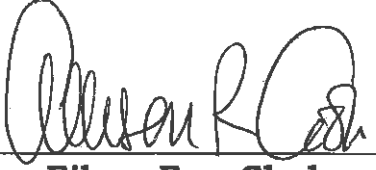
In light of the seriousness of the respondent's misconduct, the court concludes that the respondent should be disbarred. THEREFORE, the court orders that Stephen Males, Jr. be disbarred from the practice of law in New

Hampshire. He is hereby assessed all expenses incurred by the Professional Conduct Committee in the investigation and prosecution of this matter.

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

DATE: September 28, 2018

ATTEST:


For **Eileen Fox, Clerk**

Distribution:

Brian R. Moushegian, Esquire

Stephen J. Males, Jr., Esquire

File