

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2021-0009, In the Matter of Daniel W. McKenna, Esquire

On October 7, 2021, in response to a petition filed by the Attorney Discipline Office (ADO) for the immediate interim suspension of the respondent, Attorney Daniel W. McKenna, this court suspended the respondent from the practice of law in New Hampshire pending further order of the court. On November 2, 2021, the respondent, through counsel, withdrew his request for a hearing on the interim suspension and stipulated that the suspension should remain in effect pending further order of the court. The respondent has remained suspended since October 7, 2021.

On June 29, 2022, the ADO notified the court in writing that the respondent had pleaded guilty in Rockingham County Superior Court to one felony count of violating RSA 638:4, IV(A)(1) (issuing bad checks in an amount greater than \$1,501). He was sentenced on June 22, 2022. The ADO's written notification, which included a copy of the applicable indictment and sentencing decision, recommends that the court disbar the respondent pursuant to Supreme Court Rule 37(9)(d). According to the ADO's written notification, the respondent's counsel in this lawyer discipline case "has confirmed that Mr. McKenna does not object to the disposition proposed by the Attorney Discipline Office and waives the formal disciplinary process contemplated by Rule 37(9)(d)."

The respondent's felony conviction for issuing bad checks constitutes a "serious crime," as that term is defined in Supreme Court Rule 37(9)(b) ("The term 'serious crime' shall include any felony and any lesser crime a necessary element of which, as determined by the statutory or common law definition of such crime, involves interference with the administration of justice, false swearing, misrepresentation, fraud, deceit, bribery, extortion, misappropriation, theft, or an attempt or a conspiracy or solicitation of another to commit a 'serious crime.'"). In light of the seriousness of the respondent's misconduct, and the respondent's waiver of the formal disciplinary process contemplated by Rule 37(9)(d), the court concludes that the respondent should be disbarred.

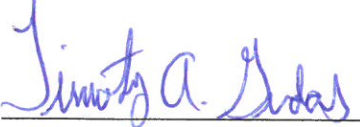
THEREFORE, the court orders that Daniel W. McKenna be disbarred from the practice of law in New Hampshire. He is hereby assessed all expenses

incurred by the Attorney Discipline System in the investigation and prosecution of this matter.

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

DATE: July 28, 2022

ATTEST:


Timothy A. Gudas, Clerk

Distribution:

Mark P. Cornell, Esquire

Andrea Q. Labonte, Esquire

Christopher D. Hawkins, Esquire

Daniel W. McKenna, Esquire

File