

New Hampshire Supreme Court
Professional Conduct Committee

a committee of the attorney discipline system

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THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. LD-2024-0003, In the Matter of David C. Newton, Esquire

ORDER

On August 20, 2024, the Professional Conduct Committee deliberated the issue of reciprocal discipline for the Respondent's Massachusetts misconduct. The Committee reviewed the Judgment of Order of Term Suspension and accompanying Memorandum of Decision from the Supreme Judicial Court of the Commonwealth of Massachusetts, suspending the Respondent from the practice of law for two years; the New Hampshire Supreme Court's June 25, 2024 Order, finding that the Respondent's misconduct "would warrant substantially more serious discipline" in New Hampshire; and the Attorney Discipline Office's Memorandum on Sanction. Upon such review, the Committee recommends to the Supreme Court that the Respondent be disbarred.

To summarize, the Respondent was found to have stolen \$20,000 from the law firm at which he was a partner. The Respondent repaid the stolen funds when confronted by his partners. During the investigation of the misconduct, the Respondent initially lied to the attorney discipline authorities about whether he continued to gamble, including when testifying about his gambling under oath.

Pursuant to the New Hampshire Rules of Professional Conduct, the Respondent's conduct violated Rules 8.1(a) (false statements), 8.1(b) (responses to the disciplinary authority), and 8.4(c) (dishonesty and fraud). Considering both the ABA Standards for Imposing Lawyer Sanctions and New Hampshire precedent, the Respondent's misconduct warrants disbarment.

As is established in the ADO Memorandum on Sanction, the Respondent's conduct violated his duties to the public and the legal profession. His mental state was either knowingly

