

The Supreme Court of the State of Louisiana

IN RE: DAVID J. MOTTER

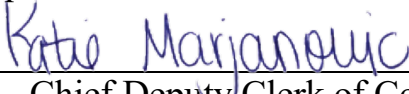
No. 2021-B-01779

IN RE: Office of Disciplinary Counsel (ODC) - Applicant Other; David J. Motter -
Applicant Other; Joint Petition for Consent Discipline;

April 12, 2022

Joint petition for consent discipline accepted. See per curiam.

JLW
JDH
SJC
JTG
WJC
JBM
PDG

Supreme Court of Louisiana
April 12, 2022


Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

NO. 2021-B-1779

IN RE: DAVID J. MOTTER

ATTORNEY DISCIPLINARY PROCEEDING

PER CURIAM

The Office of Disciplinary Counsel (“ODC”) commenced an investigation into allegations that respondent neglected legal matters, failed to communicate with clients, failed to promptly refund unearned fees, engaged in the unauthorized practice of law, and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. When the ODC attempted to investigate these matters, respondent initially failed to cooperate with the investigations. Respondent and the ODC then submitted a joint petition for consent discipline in which respondent admitted that his conduct violated Rules 1.3, 1.4, 1.5(f)(5), 5.5(a), 5.5(e)(4), 8.1(a), 8.1(c), 8.4(a), 8.4(c), and 8.4(d) of the Rules of Professional Conduct. Having reviewed the petition,

IT IS ORDERED that the Petition for Consent Discipline be accepted and that David J. Motter, Louisiana Bar Roll number 21366, be suspended from the practice of law for a period of three years, with all but one year and one day deferred.¹

IT IS FURTHER ORDERED that all costs and expenses in the matter are assessed against respondent in accordance with Supreme Court Rule XIX, § 10.1, with legal interest to commence thirty days from the date of finality of this court’s judgment until paid.

¹ Although we feel respondent may benefit from a period of probation, we decline to impose probation at this time because the actual period of suspension is greater than one year, thereby necessitating a formal application for reinstatement. This court has “typically declined to impose probationary periods or conditions in cases in which the sanction will require application for and reinstatement to the practice of law.” *In re: Hollis*, 13-2568 (La. 3/14/14), 135 So. 3d 596, 599 n.2. Imposition of probation and conditions of probation may be considered if and when respondent applies for reinstatement after becoming eligible to do so.