

STATE OF CONNECTICUT



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**STATEWIDE GRIEVANCE COMMITTEE**

[www.jud.ct.gov/sgc/](http://www.jud.ct.gov/sgc/)  
Second Floor - Suite Two  
287 Main Street, East Hartford, Connecticut 06118-1885

01/07/2011

OFFICE OF CHIEF DISCIPLINARY C  
100 WASHINGTON STREET  
HARTFORD CT 06106

BRIAN MERRITT BALDWIN  
74 ORCHARD STREET  
NORWICH CT 06360

RE: GRIEVANCE COMPLAINT #10-0631  
FAIRFIELD JD GRIEVANCE PANEL vs. BALDWIN

Dear Respondent and Disciplinary Counsel:

Enclosed herewith is the decision of the reviewing committee of the Statewide Grievance Committee concerning the above referenced matter. In accordance with the Practice Book Sections 2-35, 2-36 and 2-38(a), the Respondent may, within thirty (30) days of the date of this notice, submit to the Statewide Grievance Committee a request for review of the decision.

A request for review must be sent to the Statewide Grievance Committee at the address listed above.

Sincerely,

Michael P. Bowler

Encl.

cc: Attorney Gregory A. Benoit  
FAIRFIELD JD GRIEVANCE PANEL

**NOTICE REGARDING DECISION  
- PRESENTMENT -**

**GRIEVANCE COMPLAINT #** 10-0631

**THE ATTACHED DECISION IS PRESENTLY STAYED IN ACCORDANCE WITH PRACTICE BOOK §2-35.**

**SECTION 2-35 STATES, IN PART, AS FOLLOWS:**

**(e) ... Enforcement of the final decision ... shall be stayed for thirty days from the date of the issuance to the parties of the final decision. In the event the respondent timely submits to the statewide grievance committee a request for review of the final decision of the reviewing committee, such stay shall remain in full force and effect pursuant to Section 2-38(b).**

**Note: This stay terminates upon the issuance of a final decision by the Statewide Grievance Committee.**

**DECISION DATE:** 1/7/11

STATEWIDE GRIEVANCE COMMITTEE

Fairfield Judicial District Grievance Panel

Complainant

vs.

Grievance Complaint #10-0631

Brian Baldwin

Respondent

DECISION

Pursuant to Practice Book §2-35, the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, conducted a hearing at the Superior Court, 1061 Main Street, Bridgeport, Connecticut on December 1, 2010. The hearing addressed the record of the complaint filed on July 22, 2010, and the probable cause determination filed by the New London Judicial District Grievance Panel on September 15, 2010, finding that there existed probable cause that the Respondent violated Rules 8.1 (2) and 8.4(1) and (4) of the Rules of Professional Conduct and Practice Book §2-32(a)(1).

Notice of the hearing was mailed to the Complainant, to the Respondent and to the Office of the Chief Disciplinary Counsel on November 4, 2010. Pursuant to Practice Book §2-35(d), Assistant Disciplinary Counsel Karyl L. Carrasquilla pursued the matter before this reviewing committee. The Respondent did not appear at the hearing. Reviewing committee member Attorney Salvatore C. DePiano was unavailable for the hearing. Since the Assistant Disciplinary Counsel waived the participation of Attorney DePiano, this matter was heard and decided by the undersigned.

This reviewing committee finds the following facts by clear and convincing evidence:

In March of 2010, the Statewide Bar Counsel's Office requested the Complainant to investigate the possibility of misconduct by the Respondent. In a letter to the Respondent dated May 4, 2010, the Complainant requested that the Respondent respond to certain allegations of misconduct on or before May 14, 2010. The Respondent did not respond to the Complainant's request. Thereafter, the Complainant filed the subject grievance complaint on July 22, 2010.

Pursuant to Practice Book §2-32, on July 26, 2010 a copy of the grievance complaint was forwarded to the Respondent by certified mail at his last known registered office address. The Respondent last registered his office address with the Statewide Grievance Committee on May 14, 2007. A copy of the grievance complaint was also forwarded to the Respondent by certified mail at the address reflected on the grievance complaint. The letter accompanying the grievance complaint advised the Respondent that he was required to respond to the grievance complaint within 30 days. The Respondent did not file a response to the grievance complaint. On July 30,

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2010, the copy of the grievance complaint mailed to the Respondent at his last known registered office address was returned as "not deliverable as addressed, unable to forward." On August 13, 2010 the copy of the grievance complaint mailed to the Respondent at the address on the grievance complaint was returned as "attempted, not known."

This reviewing committee finds the following violations of the Rules of Professional Conduct and Practice Book by clear and convincing evidence:

The Respondent failed to respond to the Complainant's May 4, 2010 request for information in violation of Rule 8.1(2) of the Rules of Professional Conduct. The Respondent failed to respond to the grievance complaint in violation of Rule 8.4(1) of the Rules of Professional Conduct and Practice Book §2-32(a)(1). The Respondent's failure to respond to the Complainant's May 4, 2010 letter and to the subject grievance complaint constitutes conduct prejudicial to the administration of justice, in violation of Rule 8.4(4) of the Rules of Professional Conduct. This reviewing committee concludes that the Respondent's violation of Rules 8.1(2), 8.4(1) and 8.4(4) of the Rules of Professional Conduct and Practice Book §2-32(a)(1) warrants a presentment. Accordingly, we direct the Disciplinary Counsel to file a presentment against the Respondent in the Superior Court, for the imposition of whatever discipline the court deems appropriate.

This reviewing committee also concludes by clear and convincing evidence that the Respondent failed to comply with his attorney registration obligations in violation of Practice Book §2-27(d), by failing to register with the Statewide Grievance Committee since 2007. Pursuant to Practice Book §2-27(d), it is the Respondent's responsibility to register with the Statewide Grievance Committee on an annual basis and at the time that he changes his address. Since a presentment is a de novo proceeding, we further direct the Disciplinary Counsel to include the additional violation of Practice Book §2-27(d) in the presentment.

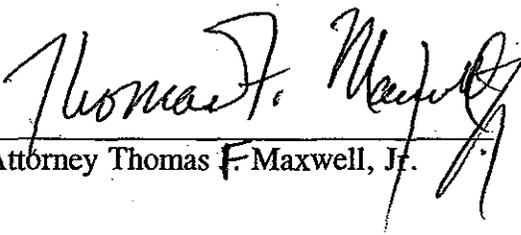
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DECISION DATE: 1/7/11

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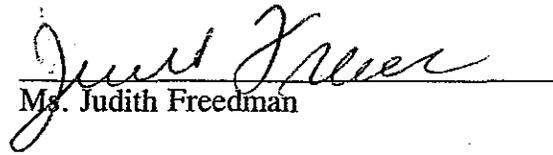
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Attorney Thomas F. Maxwell, Jr.

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Ms. Judith Freedman