

STATEWIDE GRIEVANCE COMMITTEE

Glory Bibb
Complainant

vs.

Grievance Complaint #08-0847

Patrick Hulton
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 January 14, 2009. The hearing addressed the record of the complaint filed on September 8, 2008, and the probable cause determination filed by the New Britain Judicial District and Judicial District of Hartford for Geographical Area 12 and the towns of Avon, Bloomfield, Canton, Farmington and West Hartford Grievance Panel on November 4, 2008, finding that there existed probable cause that the Respondent violated Rules 1.1, 1.3, 1.4(a) and 8.1(2) 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 December 2, 2008. Pursuant to Practice Book §2-35(d), Chief Disciplinary Counsel Mark A. Dubois pursued the matter before this reviewing committee. The Respondent appeared and testified. The Complainant, who resides in Florida, contacted the Statewide Grievance Committee's office prior to the hearing and indicated that she would not be able to travel to Connecticut for the hearing. An exhibit was admitted into evidence.

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

This grievance complaint was filed on September 8, 2008, regarding the Respondent's representation of the Complainant's father in a real estate transaction for property located on Rockville Street in Hartford. This same real estate transaction generated a separate grievance complaint against the Respondent, filed by another party to the transaction, Attorney George Romania (Romania v. Hulton, Grievance Complaint #05-0016). The Romania grievance resulted in an agreement pursuant to Practice Book §2-82, by which the Respondent was presented to the superior court. The presentment, which comprised a number of other grievance complaints in addition to the Romania grievance, resulted in a stipulated disposition on August 29, 2008 by which the Respondent was suspended from the practice of law for thirty months with conditions for his reinstatement (Disciplinary Counsel v. Hulton, MMX-CV05-4003557; Auregemma, J.). The Respondent has not yet applied for readmission.

The Respondent did not file an answer to the grievance complaint at hand.

This reviewing committee also considered the following:

The essence of the Complainant's grievance is that her father, Ollie E. Morris, did not receive funds that were due him from the real estate transaction. The Respondent acknowledged the problems with the real estate transaction which resulted in the Romania grievance. However, he indicated that Mr. Morris was not due any additional money, noting that proceeds from the transaction were used to pay for repairs to the property as well as to pay off a mortgage, at the direction of Mr. Morris, on other property owned by Mr. Morris on Mansfield Street in Hartford. A statement prepared by the Respondent reflected the various payouts and the net proceeds to Mr. Morris.

The Disciplinary Counsel stated that an investigation of the transaction did not reflect that any funds had been misappropriated by the Respondent. The Disciplinary Counsel recommended that a sanction enter only for the Respondent's failure to answer the grievance complaint. The Respondent acknowledged that his failure to answer was "inexcusable."

This reviewing committee concludes by clear and convincing evidence that the Respondent failed to answer this grievance complaint, in violation of Rule 8.1(2) of the Rules of Professional Conduct and Practice Book §2-32(a)(1). The reviewing committee takes note of the Romania grievance and the resulting presentment, and elects not to impose any further sanction for the other rules violations found in the probable cause determination herein.

This reviewing committee notes that one of the conditions of the Respondent's readmission is that he take and pass the Multistate Professional Responsibility Examination within a year of his readmission. In order to further this goal of requiring the Respondent to demonstrate an appreciation for the Rules of Professional Conduct, the Respondent is ordered, for his failure to answer the grievance complaint in this matter, to attend, in person and at his own expense, a continuing legal education ("CLE") course in legal ethics. On line courses and materials only courses do not comply. The CLE course is to consist of a minimum of three credit hours, and is to be taken prior to any application for readmission made by the Respondent. The Respondent is further ordered to provide the Statewide Grievance Committee with written confirmation of this compliance with this condition within thirty days of the completion of the CLE course.

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DECISION DATE: 4/9/09

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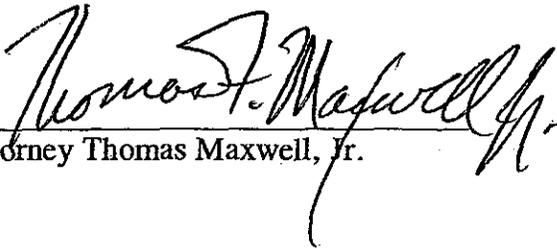
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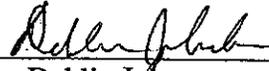


Attorney Thomas Maxwell, Jr.

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Ms. Dahlia Johnston