

People v. Carlos Leal III. 14PDJ016. September 4, 2014.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Carlos Leal III (Attorney Registration Number 21937) for six months, all stayed pending the successful completion of a two-year period of probation. The probation took effect September 4, 2014.

In 2010, Leal's father retained Leal to represent him in a car accident-related matter. Leal informed his father's insurer that he was the attorney handling the case. In May 2011, Leal was administratively suspended from the practice of law for failure to pay his registration fee and failure to comply with continuing legal education requirements. Nevertheless, Leal referred to himself as an attorney in four separate documents sent to his father's insurer between November 2011 and January 2012, including one document in which Leal rejected previous settlement offers and made a final pre-complaint settlement demand. He made these representations even though in a separate disciplinary matter he provided a sworn statement that he had become aware of his administrative suspensions in September 2011. Leal never notified the insurer that he had been suspended from the practice of law.

Through this misconduct, Leal violated Colo. RPC 3.4(c) (a lawyer shall not knowingly disobey an obligation under the rules of a tribunal); Colo. RPC 5.5(a)(1) (a lawyer shall not practice law without a law license or other specific authorization); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).