

IN RE: LEONARD N. MANCUSO

NO. BD-2010-109

**S.J.C. Order of Term Suspension entered by Justice Botsford on August 9, 2012,
Retroactive to November 17, 2010.¹**

SUMMARY²

On September 30, 2010, during the course of a heated argument, the respondent fired a gun in the direction of a woman with whom he had a close relationship. The woman's teenage daughter was in the home at the time and called the police. The respondent was temporarily suspended from the practice of law on November 17, 2010.

On March 9, 2012, the respondent was convicted in Essex Superior Court of assault with a dangerous weapon in violation of G. L. c. 265, § 15B(b), and two counts of possession of a firearm without an FID card in violation of G. L. c. 269, § 10(h). The respondent was sentenced to not less than three years and not more than five years in state prison on the conviction of assault with a dangerous weapon and to concurrent terms of two years' probation on the remaining charges, to commence on and after the state prison sentence. The probation was subject to conditions that the respondent participate in a batterers' intervention program, remain free of drugs and alcohol and participate in drug and alcohol screening, and engage in a mental health evaluation and screening as directed by probation. The respondent was also prohibited from being in contact with the victim or her daughter.

On April 17, 2012, bar counsel filed a petition for discipline based on the convictions. On June 8, 2012, the respondent filed an amended answer to the petition in which he admitted to the factual allegations and that he had violated Mass. R. Prof. C. 8.4(b) and (h). The parties agreed that the appropriate sanction was an indefinite suspension retroactive to the effective date of the temporary suspension and that, as a condition of petitioning for reinstatement, the respondent must be released from probation.

In mitigation, the parties agreed that the criminal conduct did not involve the practice of law. In aggravation, the respondent had previously been public reprimanded in *Matter of Mancuso*, 24 Mass. Att'y Disc. Rep. 465 (2008), and had received an admonition in 2002. Adm. No. 02-49, 18 Mass. Att'y Disc. Rep. 729 (2002).

On July 10, 2012, the Board of Bar Overseers voted to adopt the parties' recommendation. An information and the record of proceedings were filed with the Supreme Judicial Court for Suffolk County. On August 9, 2012, the county court (Botsford, J.) entered an order of indefinite suspension effective November 17, 2010, and further prohibited the respondent from applying for reinstatement until after he was discharged from his sentence of probation.

¹ The complete Order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

² Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.