

IN RE: ANTHONY D. GALLUCCIO

NO. BD-2010-002

S.J.C. Order of Term Suspension entered by Justice Duffly on March 28, 2011.¹

SUMMARY²

The respondent was admitted to the bar on December 16, 1997. On December 19, 2009, he was convicted in the district court of leaving the scene of an accident involving personal injury in violation of G.L. c. 90, § 24(2)(a¹/₂)(1), and leaving the scene of an accident involving property damage in violation of G.L. c. 90, § 24(2)(a). The respondent was sentenced to concurrent terms of one year in the house of correction, suspended until December 16, 2011, with six months of home confinement. Conditions of probation included that the respondent was to abstain from alcohol.

On January 4, 2010, the respondent was found in violation of probation, probation was terminated, and the respondent was sentenced to concurrent terms of one year in the house of correction. The respondent appealed from the order revoking probation.

The respondent was temporarily suspended from the practice of law on February 8, 2010. He was released from custody on July 14, 2010, and reinstated to the bar on July 30, 2010.

On November 22, 2010, the Appeals Court affirmed the order revoking the respondent's probation in a memorandum and order pursuant to Rule 1:28. Bar counsel filed a petition for discipline on November 23, 2010, charging the criminal conduct and the respondent's violation of the terms of probation. Bar counsel charged that the respondent's conduct violated Mass. R. Prof. C. 8.4(b), (c), (d), and (h).

On February 9, 2011, the Supreme Judicial Court denied the respondent's petition for further appellate review. On March 4, 2011, the respondent filed an answer admitting to the allegations and rule violations alleged in the petition for discipline. The parties recommended a five-month suspension retroactive to the effective date of the temporary suspension. On March 14, 2011, the Board of Bar Overseers voted to adopt the parties' stipulation and recommendation for discipline. On March 28, 2011, the Supreme Judicial Court for Suffolk County entered an order suspending the respondent for five months retroactive to February 8, 2010.

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.