

People v. Fredrick M. Callaway. 26PDJ16. September 22, 2026.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and suspended Fredrick M. Callaway (attorney registration number 10156) for eighteen months. Callaway's suspension took effect on September 22, 2026.

While representing a client in a criminal probation revocation matter in 2023, Callaway did not attend a hearing on the revocation complaint, requiring the trial court to continue the hearing. At the continued hearing, Callaway's client pleaded guilty to three counts in the complaint. Callaway did not advise his client about the consequences of pleading guilty or that the client could be incarcerated as a result of admitting any of the alleged probation violations. In addition, Callaway did not investigate defenses his client could present at the sentencing hearing and did not argue the defenses at that hearing, including that the prosecution presented new evidence at the sentencing hearing that was not alleged in the probation revocation complaint.

During the representation, Callaway's client gave Callaway personal property for safekeeping when the client was taken into custody. The property included luggage that contained mortgage deed documents related to the client's divorce; clothing; keys to the client's car, home, and office; and \$5,000.00 in cash. The client also gave Callaway his cellphone, watch, and two wallets containing credit and debit cards, business cards, a college identification card, a driver's license, a social security card, two expired employment authorization cards, and \$250.00 in cash. Callaway failed to safeguard his client's property and did not place his client's funds in a trust account. Nor did he return the items at his client's request either during or after the representation.

In another client matter, Callaway failed to attend a disposition conference in his client's criminal case in August 2023. Callaway did not move to continue the conference or to vacate the setting, which the trial court set at Callaway's request, and which his client, a court reporter, and the prosecutor—a senior deputy district attorney—attended. Nor did Callaway respond to communications from the district attorney's office after the conference, leading the prosecutor to file an emergency motion requesting a status conference.

Through this conduct, Callaway violated Colo. PC 1.3 (a lawyer must act with reasonable diligence and promptness in representing a client); Colo. RPC 1.4(b) (a lawyer must explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation); Colo. RPC 1.15A(a) (a lawyer must hold client property separate from the lawyer's own property); Colo. RPC 1.16(d) (upon termination of representation, a lawyer must take steps reasonably practicable to protect a client's interests); and Colo. RPC 8.4(d) (it is professional misconduct for a lawyer to engage in conduct prejudicial to the administration of justice).

The case file is public per C.R.C.P. 242.41(a).