

*People v. Gomez*, No. 04PDJ100. 11/05/04. Attorney Regulation.

The Presiding Disciplinary Judge approved the parties' Conditional Admission of Misconduct and suspended Respondent Ernest Gomez, attorney registration number 26321, from the practice of law in the State of Colorado for a period of 30 days, all stayed upon successful completion of a one-year period of probation, effective December 5, 2004. In violation of Colorado RPC 1.15 (b), (g), and (l), Respondent overdrew his trust account when he wrote checks to himself for fees he claimed to have earned from clients with whom he had no fee agreements. In another matter, he deposited an unearned retainer directly into his operating account, thereby exercising unauthorized dominion over these funds in violation of Colo. RPC 1.15(a). Respondent violated Colo. RPC 1.3 when he failed to update his own and a client's address with opposing counsel. He violated Colo. RPC 1.4(a) when he failed to return client calls or appear at scheduled meetings. He also violated Colo. RPC 1.15(b) when, as requested by a client, he failed to provide an accounting. Respondent was ordered to pay the costs incurred in this proceeding and comply with other conditions.