People v. Patrick Og O'Malley. 25PDJ1. August 20, 2025.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and publicly censured Patrick Og O'Malley (attorney registration number 33050), effective August 20, 2025.

In September 2022, O'Malley filed a lawsuit in Boulder District Court on behalf of a corporation. In September 2023, the defendant moved to disqualify O'Malley as the plaintiff's counsel under Colo. RPC 3.7, which prohibits a lawyer from acting as an advocate at a trial in which the lawyer is likely to be a necessary witness. The court granted the motion, disqualified O'Malley, and ordered O'Malley to withdraw from the case in fourteen days, by October 3, 2023. O'Malley did not withdraw by that date, however. The court then ordered that he file a motion to withdraw no later than October 27, 2023. But O'Malley did not withdraw by that deadline. The defendant moved for contempt on October 30, 2023; four days later, O'Malley filed a notice of withdrawal. At the hearing on the contempt petition, the court found that O'Malley knew of the two orders to withdraw yet did not comply with the orders.

In early February 2024, the court dismissed the case for failure to prosecute. Six days later, O'Malley moved to enter his appearance as the plaintiff's counsel and moved for an extension of time to file a motion under C.R.C.P. 59. O'Malley signed both pleadings as "Attorney for Plaintiff." The court did not enter any orders granting O'Malley's request to enter an appearance and denied his motion for an extension of time. Even so, in March 2024, O'Malley filed a motion to vacate the order dismissing the case and a motion to set aside default judgment. In a pair of orders on those motions, the court found that O'Malley continued to file motions in a closed matter in which he was not granted permission to represent the plaintiff, denied the order to vacate the order dismissing the case, declined to consider the motion to set aside default judgment, and granted the defendant attorney's fees for responding to the motions. The court ultimately ordered O'Malley to pay attorney's fees and costs in the amount of $3,701.06, which O'Malley paid.

Through this conduct, O'Malley violated Colo. RPC 3.4(c) (a lawyer must not knowingly disobey an obligation under the rules of a tribunal).

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