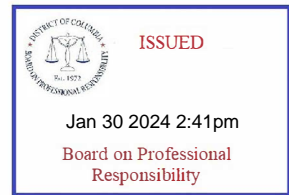


THIS REPORT IS NOT A FINAL ORDER OF DISCIPLINE\*

DISTRICT OF COLUMBIA COURT OF APPEALS  
BOARD ON PROFESSIONAL RESPONSIBILITY



In the Matter of: :  
:   
JOHN M. BURKMAN, JR, :  
: D.C. App. No. 23-BG-0980  
Respondent. : Board Docket No. 23-BD-061  
: Disciplinary Docket No. 2022-D189  
A Temporarily Suspended :  
Member of the Bar of the District of :  
Columbia Court of Appeals :  
(Bar Registration No. 463259) :

REPORT AND RECOMMENDATION  
OF THE BOARD ON PROFESSIONAL RESPONSIBILITY

This matter is before the Board on Professional Responsibility (the “Board”) on the motion of Disciplinary Counsel to accept Respondent’s consent to disbarment pursuant to D.C. Bar R. XI, § 12(a) and Board Rule 16.1. Respondent’s affidavit declaring consent to disbarment, executed on January 17, 2024, is attached to Disciplinary Counsel’s motion.

The Board, acting through its Chair, and pursuant to D.C. Bar R. XI, § 12(b) and Board Rule 16.2, has reviewed Respondent’s affidavit declaring his consent to disbarment and recommends that the Court enter an order disbarring Respondent on consent pursuant to D.C. Bar R. XI, § 12(b).

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\* Consult the ‘Disciplinary Decisions’ tab on the Board on Professional Responsibility’s website ([www.dcattorneydiscipline.org](http://www.dcattorneydiscipline.org)) to view any prior or subsequent decisions in this case.

Respondent was suspended on December 5, 2023, following his guilty plea in the Court of Common Pleas in Cuyahoga County, Ohio to telecommunications fraud. Order, *In re Burkman*, D.C. App. No. 23-BG-0980 (Dec. 5, 2023). The Court's December 5 Order directed the Board "to institute a formal proceeding to determine the nature of the offense and whether it involves moral turpitude within the meaning of D.C. Code § 11-2503(a)(2001)." *Id.*

If the Court agrees with the Board's recommendation to disbar Respondent on consent, the Board further recommends that the Court decline to consider whether Respondent's criminal conviction involved moral turpitude.<sup>1</sup> *See In re Schulman*, 960 A.2d 617, 617 (D.C. 2008) (per curiam) (following disbarment on consent, a separate disciplinary proceeding arising out of a criminal conviction was dismissed as moot).

Respondent's attention should be drawn to the requirement to demonstrate compliance with the provisions of D.C. Bar R. XI, §§ 14 and 16, including the filing of the affidavit pursuant to D.C. Bar R. XI, § 14(g) (which must be served on Disciplinary Counsel and the Board), and to the fact that the period of disbarment

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<sup>1</sup> Pursuant to Board Rule 9.8(a), Disciplinary Counsel's motion has provided Respondent with notice of Disciplinary Counsel's intent to present evidence of unadjudicated acts at any future reinstatement hearing.

will not be deemed to run for purposes of reinstatement until a compliant affidavit is filed. *See In re Slosberg*, 650 A.2d 1329, 1331-33 (D.C. 1994).

BOARD ON PROFESSIONAL RESPONSIBILITY

By: Bernadette C. Sargeant  
Bernadette C. Sargeant  
Chair