

DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY

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| In the Matter of: | : | |
| | : | |
| MAQSOOD HAMID MIR, | : | |
| | : | |
| Respondent. | : | Bar Docket No. 445-03 |
| | : | |
| A Member of the Bar of the | : | |
| District of Columbia Court of Appeals | : | |
| (Bar Registration No. 421146) | : | |

REPORT AND RECOMMENDATION OF THE
BOARD ON PROFESSIONAL RESPONSIBILITY

This matter is before the Board on Professional Responsibility (the “Board”) on the motion of Bar Counsel to accept consent of Respondent 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 September 16, 2009, is attached to Bar Counsel’s motion.

D.C. Bar R. XI, § 12(a) provides that an attorney who is the subject of an investigation or pending proceeding based on allegations of misconduct may consent to disbarment by delivering to Bar Counsel an affidavit declaring the attorney’s consent to disbarment and stating:

- (1) That the consent is freely and voluntarily rendered, that the attorney is not being subjected to coercion or duress, and that the attorney is fully aware of the implication of consenting to disbarment;
- (2) That the attorney is aware that there is currently pending an investigation into, or a proceeding involving, allegations of misconduct, the nature of which shall be specifically set forth in the affidavit;
- (3) That the attorney acknowledges that the material facts upon which the allegations of misconduct are predicated are true; and
- (4) That the attorney submits the consent because the attorney knows that if disciplinary proceedings based on the alleged misconduct were brought, the attorney could not successfully defend against them.

Upon consideration of the foregoing, the Board, acting through its Chair and pursuant to D.C. Bar R. XI, § 12(b) and Board Rule 16.2, approves Respondent's affidavit declaring consent to disbarment and recommends that the Court enter an order disbarring Respondent on consent pursuant to D.C. Bar R. XI, § 12(b).

Respondent is currently suspended from the practice of law in the above-captioned matter pursuant to D.C. Bar R. XI, § 10 (c) by order of the Court, dated June 15, 2005. The suspension is based on Respondent's conviction, in the United States District Court for the District of Maryland, of sixteen felony counts of immigration fraud, in violation of Title 18, U.S.C. §§ 2, 1546(a). *U.S. v. Mir*, No. 8:03; cr-00156. The Court referred the matter to the Board to determine whether the crimes involve moral turpitude within the meaning of D.C. Code § 11-2503(a). The matter is pending before the Board on a report and recommendation of an Ad Hoc Hearing Committee that Respondent be disbarred. If the Court disbars Respondent on consent, the Court need not reach the question whether Respondent's crimes involve moral turpitude. Accordingly, the Board further recommends that the Court dismiss the criminal conviction matter as moot. *See, e.g., In re Cinquegrani*, 969 A.2d 261 (D.C. 2009) (per curiam).

If this recommendation is adopted, Respondent's attention should be drawn to the requirements of D.C. Bar R. XI, § 14 and to the consequences of non-compliance as set forth in D.C. Bar R. XI, § 16(c).

BOARD ON PROFESSIONAL RESPONSIBILITY

By: _____/CJW/
Charles J. Willoughby
Chair

Dated: October 16, 2009