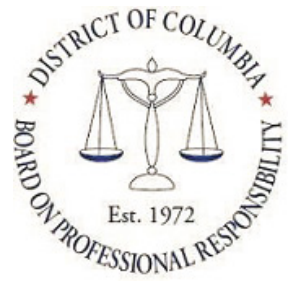


THIS REPORT IS NOT A FINAL ORDER OF DISCIPLINE*

DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY



Issued

September 27, 2021

In the Matter of: :
:
TRICIA S. BOUTROS, :
: D.C. App. No. 21-BG-424
Respondent. : Board Docket No. 21-BD-036
: Disc. Docket No. 2020-D116
A Suspended Member of the Bar of the :
District of Columbia Court of Appeals :
(Bar Registration No. 980803) :

REPORT AND RECOMMENDATION
OF THE BOARD ON PROFESSIONAL RESPONSIBILITY

Respondent pleaded guilty to one count of bank fraud, in violation of 18 U.S.C. §§ 1344(1) and 1344(2). The District of Columbia Court of Appeals has directed the Board on Professional Responsibility to institute a formal proceeding to determine the nature of Respondent's offenses and whether the crimes involve moral turpitude within the meaning of D.C. Code § 11-2503(a) (2001). For the reasons that follow, the Board recommends that the Court disbar Respondent pursuant to D.C. Code § 11-2503(a) based on her conviction of a crime involving moral turpitude *per se*.

BACKGROUND

Respondent was admitted to the District of Columbia Bar on May 9, 2008. Respondent pleaded guilty to bank fraud in violation of 18 U.S.C. §§ 1344(1) and 1344(2), felonies. Respondent was sentenced to 30 months in

* Consult the 'Disciplinary Decisions' tab on the Board on Professional Responsibility's website (www.dcattorneydiscipline.org) to view any prior or subsequent decisions in this case.

prison followed by 60 months of supervised release, and was ordered to pay \$2,100,000.00 in restitution.

On June 25, 2021, Disciplinary Counsel filed a copy of Respondent's Amended Judgment in a Criminal Case with the Court of Appeals. The Court suspended Respondent pursuant to D.C. Bar R. XI, § 10(c), and directed the Board to institute a formal proceeding to determine whether any of Respondent's offenses involve moral turpitude within the meaning of D.C. Code § 11-2503(a) (2001). Order, *In re Boutros*, No. 21-BG-424 (D.C. July 22, 2021).

On August 16, 2021, Disciplinary Counsel filed a statement with the Board recommending Respondent's disbarment because Respondent pleaded guilty to a crime involving moral turpitude *per se*. Respondent did not file a response to Disciplinary Counsel's statement, the time for doing so having expired.

ANALYSIS

D.C. Code § 11-2503(a) requires the disbarment of a member of the District of Columbia Bar convicted of a crime of moral turpitude. Once the Court has determined that a particular crime involves moral turpitude *per se*, disbarment must be imposed on any respondent convicted of that crime. *See In re Colson*, 412 A.2d 1160, 1165 (D.C. 1979) (en banc).

Respondent pleaded guilty to bank fraud, in violation of 18 U.S.C. §§ 1344(1) and 1344(2). The Court has already decided that 18 U.S.C.

§ 1344(1) involves moral turpitude *per se*. *In re Kelly*, 816 A.2d 52, 52 (D.C. 2003) (per curiam) (18 U.S.C. § 1344(1) “is indeed a crime of moral turpitude *per se*”); *In re Campbell*, 635 A.2d 933, 933 (D.C. 1994) (per curiam) (same). Because a conviction under 18 U.S.C. § 1344(1) involves moral turpitude *per se*, we need not consider whether a conviction under 18 U.S.C. § 1344(2) also involves moral turpitude *per se*. *See Kelly*, 816 A.2d at 52-53 & n.4.

CONCLUSION

For the foregoing reasons, the Board recommends that the Court disbar Respondent pursuant to D.C. Code § 11-2503(a) based on her conviction of a crime involving moral turpitude *per se*.

BOARD ON PROFESSIONAL RESPONSIBILITY

By: Mary Larkin
Mary C. Larkin, Public Member

All members of the Board concur in this Report and Recommendation, except Mr. Kaiser, who is recused.