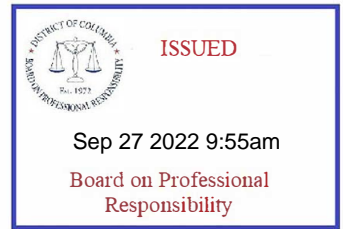


DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY



In the Matter of: :
: :
JEFFREY B. CLARK, :
: Board Docket No. 22-BD-039
Petitioner. : Disciplinary Docket No. 2021-D193
: :
A Member of the Bar of the :
District of Columbia Court of Appeals :
(Bar Registration No. 455315) :

ORDER

Pending before the Board are Respondent's Request for Deferral Under Board Rule 4.2, Disciplinary Counsel's Opposition, and the recommendation of the Hearing Committee Chair that Respondent's request for deferral be denied.

A disciplinary case may be deferred "when there is a substantial likelihood" that the resolution of "a related ongoing criminal investigation or related pending criminal or civil litigation" "will help to resolve material issues involved in the pending disciplinary matter." Board Rules 4.1 and 4.2. Respondent argues that this case should be deferred pending the resolution of one or more of four matters: (1) a subpoena enforcement proceeding before the D.C. Court of Appeals; (2) a federal criminal investigation; (3) the January 6 Committee investigation; and (4) a Fulton County, Georgia Special Grand Jury investigation. Disciplinary Counsel opposes the deferral request, arguing that these are not appropriate grounds for deferral. The Hearing Committee Chair has recommended that the motion to defer be denied.

Having reviewed the parties' filings and applicable law, the Board acting through its Chair adopts and incorporates the Hearing Committee Chair's report and recommendation. *See* Board Rule 4.2. The Board adds that the subpoena enforcement proceeding in the Court of Appeals that is the primary focus of Respondent's argument, Mot. 11-21, has been resolved and that argument

is now moot. *See Order*, In re Clark, D.C. App. No. 22-BG-059 (D.C. Sept. 15, 2022). With respect to the deferral arguments based on the pendency of the three remaining matters, as set forth in the Hearing Committee Chair's report, Respondent has not met the standard for deferral.

Upon consideration of the foregoing, it is hereby

ORDERED that Respondent's motion for deferral is denied.

BOARD ON PROFESSIONAL RESPONSIBILITY



By: _____
Lucy Pittman
Chair

cc:

Jeffrey Clark, Esquire
c/o Charles Burnham, Esquire
Robert A. Destro, Esquire
Harry W. MacDougald, Esquire
charles@burnhamgorokhov.com
robert.destro@protonmail.com
hmacdougald@ccedlaw.com

Hamilton P. Fox, III, Esquire
Jason R. Horrell, Esquire
Office of Disciplinary Counsel
foxp@dcodc.org
horrellj@dcodc.org