

DISTRICT OF COLUMBIA COURT OF APPEALS

In re Blair

40 A.3d 883 (D.C. 2012) · No. 10-BG-47 · Decided February 23, 2012

SUMMARY

The District of Columbia Court of Appeals adopted the Board on Professional Responsibility's recommendation and disbarred Walter L. Blair. The court held that his federal conviction for witness tampering under 18 U.S.C. § 1512(b)(3) constituted a crime of moral turpitude per se, requiring disbarment; the sanction would run for reinstatement purposes from the filing of a fully compliant affidavit under D.C. Bar Rule XI, § 14(g).

CASE DETAILS

COURT	District of Columbia Court of Appeals
JURISDICTION	District of Columbia
DECIDED	February 23, 2012
DOCKET	10-BG-47
DISPOSITION	other
PROCEDURAL POSTURE	The District of Columbia Court of Appeals reviewed the Board on Professional Responsibility's recommendation that attorney Walter L. Blair be disbarred based on federal felony convictions.
PRECEDENTIAL VALUE	published and precedential

TOPICS

remedies

criminal procedure

appellate procedure

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

criminal procedure

QUESTIONS PRESENTED

1. Whether Blair's conviction for witness tampering under 18 U.S.C. § 1512(b)(3) involved moral turpitude per se.
2. Whether disbarment was the mandatory disciplinary sanction for Blair's conviction of a crime involving moral turpitude per se.
3. When Blair's disbarment should become effective for purposes of reinstatement.

HOLDINGS

1. Witness tampering in violation of 18 U.S.C. § 1512(b)(3) is a crime involving moral turpitude per se.
2. Disbarment is the appropriate and mandatory sanction for Blair's witness-tampering conviction.
3. Blair's disbarment runs, for purposes of reinstatement, from the date he files an affidavit fully complying with D.C. Bar Rule XI, § 14(g).

KEY QUOTATIONS

“We agree with the Board that witness tampering, in violation of 18 U.S.C. § 1512(b)(3), is a crime of moral turpitude per se.” (40 A.3d at 884)

“Accordingly, the appropriate sanction for Blair’s conduct is disbarment.” (40 A.3d at 884)

“For purposes of reinstatement, Blair’s disbarment shall run from the date that he files an affidavit that fully complies with D.C. Bar R. XI, § 14(g).” (40 A.3d at 884)

FACTUAL BACKGROUND

Walter L. Blair, a member of the District of Columbia Bar, was convicted of felony witness tampering under 18 U.S.C. § 1512(b)(3) and felony obstruction of justice under 18 U.S.C. § 1503(a), among other offenses. The Fourth Circuit later reversed the obstruction conviction but affirmed the witness-tampering conviction and most of the other convictions. The Board on Professional Responsibility concluded that witness tampering constituted moral turpitude per se and recommended disbarment.

PROCEDURAL HISTORY

Blair was convicted in the United States District Court for the District of Maryland of multiple federal felonies, including witness tampering and obstruction of justice. The District of Columbia Court of Appeals temporarily suspended him and directed the Board on Professional Responsibility to determine the appropriate discipline. The Board recommended disbarment, deferred final action pending resolution of Blair's criminal appeal, and Blair filed no exception or brief. After the Fourth Circuit reversed the obstruction conviction but affirmed the witness-tampering conviction, the District of Columbia Court of Appeals adopted the Board's recommendation and disbarred Blair.

DISPOSITION

other

CASES CITED

- United States v. Walter L. Blair, 661 F.3d 755 (4th Cir. 2011) (per curiam)
- In re Luvara, 942 A.2d 1125, 1127 (D.C. 2008)
- In re Colson, 412 A.2d 1160, 1165, 1168 (D.C. 1979) (en banc)
- In re Libby, 945 A.2d 1169 (D.C. 2008) (per curiam)
- In re Gormley, 793 A.2d 469 (D.C. 2002) (per curiam)

- In re Laguna, 749 A.2d 749 (D.C. 2000) (per curiam)
- In re Hirschfeld, 622 A.2d 688, 690 (D.C. 1993)
- In re Slosberg, 650 A.2d 1329, 1331 (D.C. 1994)

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