

**IN RE: ILYA ABLAVSKY****NO. BD-2010-114****S.J.C. Order of Indefinite Suspension entered by Justice Botsford on May 21, 2012.¹****SUMMARY²**

The respondent suffered from bipolar disorder for many years. On June 21, 2010, he was admitted to the bar of the Commonwealth. He disclosed his condition on his petition for admission to the bar.

In November 2010, a defendant was on trial for murder in the Salem Superior Court. The respondent was not representing the defendant in the case, but he had a personal connection with a relative of the defendant's. The respondent secured the court file for the case, removed it from the court, and had it destroyed so that it would not be available at the defendant's trial.

The respondent's mental disability substantially affected his conduct. On November 23, 2010, the respondent transferred to disability inactive status. He resumed treatment for his disorder.

On January 26, 2012, the respondent was convicted in Essex Superior Court of tampering with a record for use in an official proceeding in violation of G. L. c. 268, § 13E. He was sentenced to eighteen months in the house of correction with sixty-four days to serve and the balance suspended subject to special conditions including undergoing an evaluation of his mental condition, pursuing prescribed treatment, and taking prescribed medication.

On March 28, 2012, bar counsel filed a petition for discipline, and the respondent filed an answer acknowledging the conviction. The parties filed a stipulation that indefinite suspension retroactive to the date of the respondent's transfer to disability inactive status was the appropriate sanction given the respondent's impaired mental state at the time of the offense, his prompt transfer to disability inactive status, and his resumption of treatment.

On April 9, 2012, the Board of Bar Overseers voted to accept the parties' stipulation and recommendation for discipline. On April 20, 2012, an information and the record of proceedings were filed in the Supreme Judicial Court for Suffolk County. On May 21, 2012, the county court entered an order of indefinite suspension effective retroactive to November 23, 2010.

¹ The complete Order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

² Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.