

**IN RE: JAMES J. ALBERINO****NO. BD-2010-121****S.J.C. Judgment of Disbarment entered by Justice Cordy on April 20, 2012.¹****SUMMARY²**

This matter came before the Supreme Judicial Court on the respondent's affidavit of resignation pursuant to S.J.C. Rule 4:01, § 15.

In 2003, the respondent represented a client in the sale of her Brighton, Massachusetts home. He admitted in the affidavit that sufficient evidence existed to prove by a preponderance of the evidence that he wrongfully converted approximately \$50,000 of the proceeds from this sale and that he had not made restitution to the estate of his (since deceased) client or to anyone else for his misconduct. The respondent further admitted that a hearing committee, the Board and the Supreme Judicial Court would conclude that he violated Mass. R. Prof. C. 1.15(a), (b), and (d); and Mass. R. Prof. C. 8.4(c) and (h).

On April 9, 2012, the Board of Bar Overseers voted to recommend that the affidavit of resignation be accepted and that the respondent be disbarred.

On April 20, 2012, the Supreme Judicial Court for Suffolk County accepted the Respondent's affidavit of resignation and disbarred him from the practice of law.

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.