

**IN RE: ANDREW J. MYERS****NO. BD-2012-086****S.J.C. Judgment of Disbarment entered by Justice Gants on January 14, 2014, with an effective date of September 28, 2012.<sup>1</sup>****SUMMARY<sup>2</sup>**

On August 12, 2012, the respondent was arrested by the United States Marshal on felony charges of child pornography in violation of 18 U. S. C. § 2252(a)(4)(B) and use of a means or facility of interstate commerce to induce and/or entice a minor to engage in unlawful sexual activity in violation of 18 U. S. C. § 2422(b). The respondent appeared before a magistrate in the United States District Court for the District of Massachusetts on August 23, 2012, and assented to an order of detention. Bar counsel filed a petition for temporary suspension on September 13, 2012, to which the respondent assented, and the respondent was temporarily suspended on September 28, 2012.

On September 9, 2013, the respondent was convicted of four counts of enticement and attempted enticement of a minor to engage in unlawful sexual activity through a means of interstate commerce in violation of 18 U. S. C. § 2422(b) and one count of possession of child pornography in violation of 18 U. S. C. § 2252(a)(4)(B). He was sentenced to concurrent terms of 220 months' imprisonment followed by ten years of supervised release.

On September 27, 2013, bar counsel filed a petition for discipline alleging that the respondent's criminal conduct violated Mass. R. Prof. C. 8.4(b) and (h). On December 2, 2013, the respondent filed an affidavit of resignation in which he acknowledged that the facts alleged in the petition were true and that he had violated the rules as alleged. Bar counsel asked that the affidavit of resignation be accepted and a judgment of disbarment entered effective retroactive to the effective date of the temporary suspension.

On January 6, 2014, the Board of Bar Overseers voted to recommend to the Supreme Judicial Court that the affidavit of resignation be accepted and that a judgment of disbarment enter with an effective date retroactive to September 28, 2012. On January 13, 2014, the record of proceedings before the Board of Bar Overseers was filed with the Supreme Judicial Court for Suffolk County. On January 14, 2014, the county court (Gants, J.) entered a judgment accepting the affidavit of resignation and disbaring the respondent retroactive to September 28, 2012.

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<sup>1</sup> The Complete Order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

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