

**IN RE: CHRISTOPHER E. KITOSKI****NO. BD-2014-099****S.J.C. Order of Term Suspension entered by Justice Lenk on May 6, 2016.<sup>1</sup>****SUMMARY<sup>2</sup>**

Christopher E. Kitoski, the respondent, was admitted to the bar of the Commonwealth on December 10, 2008. On May 6, 2016, he was suspended for two months, on a condition specified below, for the following misconduct.

On August 13, 2014, the respondent admitted to sufficient facts in the Lynn District Court to assault and battery in violation of G. L. c. 265, § 13A(a). The facts were that during an argument with his wife at their home on the evening of April 8, 2014, after both had been drinking, the respondent became enraged. On four separate occasions, he placed his hands around her neck and applied pressure for between five and ten seconds. The confrontation ended when the wife locked herself in a bathroom and called 911.

The matter was continued without a finding until November 13, 2015, and the respondent was placed on probation. On November 13, 2015, the matter was dismissed on the recommendation of the probation department.

The respondent's criminal conduct violated Mass. R. Prof. C. 8.4(b) and (h).

In mitigation, the respondent complied with all probationary terms, including remaining alcohol-free, and is successfully addressing anger management issues in therapy. The respondent is and has been at all relevant times on inactive status and his misconduct does not involve violation of any court orders.

After formal disciplinary proceedings were instituted, the parties filed with the Board of Bar Overseers a stipulation on March 17, 2016. The respondent admitted his misconduct as described above. The parties agreed that the respondent be suspended for two months, on condition that prior to reinstatement he provide bar counsel with a current report from his therapist to assure that the respondent continues to address anger management in therapy.

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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.

On April 11, 2016, the board voted unanimously to accept the stipulation of the parties and to recommend that the respondent be suspended for two months on the condition stated in the stipulation. On May 6, 2016, the Supreme Judicial Court for Suffolk County (Lenk, J.) so ordered.