

**DENIS P. FLEMING****Public Reprimand No. 2013-5****Order (public reprimand) entered by the Board on April 17, 2013.****SUMMARY**<sup>1</sup>

A special hearing officer found that the respondent, Denis P. Fleming, violated the Rules of Professional Conduct in connection with his representation of three immigration clients. Specifically, Fleming violated rules 1.1 (competence), 1.2(a) (pursue the client's lawful objectives), 1.3 (diligence), 1.4 (a) (communicate with the client) and 1.4(b) (explain matters to the client for informed decision) by failing to re-file an immigration petition that had been returned because the entire filing fee had not been paid and by failing to advise the client the firm had not re-filed the petition. He also violated rule 8.4(c) (dishonesty, deceit, fraud, or misrepresentation) by falsely telling the client and her family that the petition would be re-filed. Under a second count, Fleming violated rules 1.4(a) and (b) by failing to advise the client that his application for permanent resident status had been rejected after immigration's request for additional information went unanswered and by failing to discuss the client's options with him. Under a third count, Fleming violated rules 1.4(a) and (b) by failing to advise a client that her application for adjustment of status and alien work authorization had been drafted and left with clerical staff but never filed.

The special hearing officer recommended a public reprimand. Neither party appealed from the special hearing officer's hearing report as it concerned the respondent.<sup>2</sup> The board issued a public reprimand dated April 17, 2013.

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<sup>1</sup> Compiled by the Board of Bar Overseers based on the record of proceedings before the board.

<sup>2</sup> The special hearing officer recommended that Fleming's co-respondent, Vincent J. Cammarano, be indefinitely suspended, which the board adopted.