

SUPREME COURT OF ILLINOIS

TUESDAY, MARCH 19, 2024

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.032002 - In re: Robert M. Romero. Disciplinary Commission.

Motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board. Allowed. Respondent Robert M. Romero is disbarred.

Order entered by the Court.

M.R.032034 - In re: Philip Michael Kiss. Disciplinary Commission.

Motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board. Allowed. Respondent Philip Michael Kiss is suspended from the practice of law for six (6) months and until further order of the Court.

Order entered by the Court.

M.R.032037 - In re: David Walter Moore. Disciplinary Commission.

Motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board. Allowed. Respondent David Walter Moore is suspended from the practice of law for eighteen (18) months, with the suspension stayed after six (6) months by a one (1) year period of probation subject to the following conditions:

- a. Within the first six (6) months of his suspension, respondent shall successfully complete the ARDC Professionalism Seminar as well as the on-demand CLE programs available on the ARDC website regarding maintaining a client trust account and handling client funds, and provide proof of attendance to the Administrator;

- b. Respondent shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigation relating to his conduct;
- c. Respondent shall attend meetings as scheduled by the Commission probation officer. Respondent shall submit quarterly written reports to the Commission probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;
- d. During the period of probation, respondent's practice of law shall be supervised by a licensed attorney acceptable to the Administrator. At least thirty (30) days prior to the start of the probationary term, respondent shall provide the name, address, and telephone number of the supervising attorney to the Administrator. Respondent shall meet with the supervising attorney at least once a month thereafter. Respondent shall authorize the supervising attorney to provide a report in writing to the Administrator, no less than every three (3) months regarding respondent's cooperation with the supervising attorney, the nature of respondent's work, and the supervising attorney's general appraisal of respondent's practice of law. Respondent shall provide notice to the Administrator of any change in supervising attorney within fourteen (14) days of the change, and any substitute supervising attorney must be a licensed attorney acceptable to the Administrator;
- e. Respondent shall submit to an independent audit of his client trust account, conducted by an auditor approved by the Administrator, at respondent's expense, six (6) months after the commencement of probation. Respondent and the Administrator shall each receive copies of the audit. The audit shall establish respondent's maintenance of complete records of client trust accounts, required by Rule 1.15 of the Illinois Rules of Professional Conduct, including the following:
  - i. the preparation and maintenance of receipt and disbursement journals for all client trust accounts, containing a record of deposits and withdrawals from

client trust accounts specifically identifying the date, source, and description of each item deposited, and date, payee and purpose of each disbursement;

- ii. the preparation and maintenance of contemporaneous ledger records for all client trust accounts showing, for each separate trust client or beneficiary, the source of all funds deposited, the date of each deposit, the names of all persons for whom the funds are or were held, the amount of such funds, the dates, descriptions and amounts of charges or withdrawals, and the names of all persons to whom such funds were disbursed;
  - iii. the maintenance of copies of all accountings to clients or third persons showing the disbursement of funds to them or on their behalf, along with copies of those portions of clients' files that are reasonably necessary for a complete understanding of the financial transactions pertaining to them;
  - iv. the maintenance of all client trust account checkbook registers, check stubs, bank statements, records of deposit, and checks or other records of debits;
  - v. the maintenance of copies of all retainer and compensation agreements with clients;
  - vi. the maintenance of copies of all bills rendered to clients for legal fees and expenses; and
  - vii. the preparation and maintenance of reconciliation reports of all client trust accounts, on at least a quarterly basis, including reconciliations of ledger balances with client trust account balances; and
- f. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining period of suspension shall commence from the date of the determination that any term of probation has been violated;
  - g. Respondent shall notify the Administrator within fourteen (14) days of any change of address; and

- h. At least thirty (30) days prior to the termination of this period of probation, respondent shall reimburse the Commission for the costs of his proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation.

Suspension effective April 9, 2024.

Respondent David Walter Moore shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.032041 - In re: McStephen Olusegun Adewale Solomon. Disciplinary Commission.

Petitions by the Administrator of the Attorney Registration and Disciplinary Commission and respondent McStephen Alusegun Adewale Solomon and for leave to file exceptions to the report and recommendation of the Review Board. Denied. Respondent McStephen Olusegun Adewale Solomon is suspended from the practice of law for one (1) year and until further order of the Court, with the suspension stayed after five (5) months by a one (1) year period of probation subject to the following conditions, as recommended by the Review Board:

- a. Respondent shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigation relating to his conduct;
- b. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and, at least thirty (30) days prior to the termination of the period of probation, shall reimburse the Commission for any further costs incurred during the period of probation;

- c. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct;
- d. Respondent shall notify the Administrator within seven (7) days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;
- e. Respondent shall attend meetings scheduled by the Commission probation officer;
- f. Respondent shall notify the Administrator within fourteen (14) days of any change of address;
- g. Respondent shall successfully complete the ARDC Professionalism Seminar within the first five (5) months of probation;
- h. Respondent's practice of law shall be supervised by a licensed attorney acceptable to the Administrator. Respondent shall provide the name, address, and telephone number of the supervising attorney to the Administrator. Within the first thirty (30) days of probation, respondent shall meet with the supervising attorney and meet at least once a month thereafter. Respondent shall authorize the supervising attorney to provide a report in writing to the Administrator, no less than once every quarter, regarding respondent's cooperation with the supervising attorney, the nature of respondent's work, and the supervising attorney's general appraisal of respondent's practice of law;
- i. Respondent shall provide notice to the Administrator of any change in the supervising attorney within fourteen (14) days of the change;
- j. Respondent shall comply with the provisions of Supreme Court Rule 764(c)(2),(3), and (4), which includes notifying clients that he cannot represent them for five (5) months; they have the right to retain another attorney; and their files are available to them;
- k. Respondent shall submit to an independent audit of his client trust account, conducted by an auditor approved by the Administrator, at respondent's expense, five (5)

months after the commencement of probation. Respondent and the Administrator shall each receive copies of the audit. The audit shall establish respondent's maintenance of complete records of client trust accounts, required by Rule 1.15 of the Rules of Professional Conduct, including the following:

- i. the preparation and maintenance of receipt and disbursement journals for all client trust accounts, containing a record of deposits and withdrawals from client trust accounts specifically identifying the date, source, and description of each item deposited, and date, payee and purpose of each disbursement;
- ii. the preparation and maintenance of contemporaneous ledger records for all client trust accounts showing for each separate trust client or beneficiary, the source of all funds deposited, the date of each deposit, the names of all persons for whom the funds are or were held, the amount of such funds, the dates, descriptions, and amounts of charges or withdrawals, and the names of all persons to whom such funds were disbursed;
- iii. the maintenance of copies of all accountings to clients or third persons showing the disbursement of funds to them or on their behalf, along with copies of those portions of clients' files that are reasonably necessary for a complete understanding of the financial transactions pertaining to them;
- iv. the maintenance of all client trust account checkbook registers, check stubs, bank statements, records of deposit, and checks or other records of debits;
- v. the maintenance of copies of all retainer and compensation agreements with clients;
- vi. the maintenance of copies of all bills rendered to clients for legal fees and expenses; and

vii. the preparation and maintenance of reconciliation reports of all client trust accounts, on at least a quarterly basis, including reconciliations of ledger balances with client trust account balances;

- I. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining period of suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court; and
- m. If respondent successfully completes the term of probation, his probation shall terminate without further order of the Court.

Suspension effective April 9, 2024.

Order entered by the Court.

M.R.032043 - In re: Brady Allen. Disciplinary Commission.

Motion by Brady Allen to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a). Allowed. Effective immediately.

Order entered by the Court.

M.R.032057 - In re: Leonard Samuel DeFranco. Disciplinary Commission.

Petition by respondent Leonard Samuel DeFranco for leave to file exceptions to the report and recommendation of the Review Board. Denied. Respondent Leonard Samuel DeFranco is disbarred, as recommended by the Review Board.

Order entered by the Court.

M.R.032067 - In re: Kyle Matthew Kinzy. Disciplinary Commission.

Petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763. Allowed. Respondent Kyle Matthew Kinzy, who has been disciplined in the State of Texas, is suspended from the

practice of law in the State of Illinois for two (2) years, with the suspension stayed in its entirety by a two (2) year period of probation, *nunc pro tunc* to July 1, 2023, subject to the conditions of probation imposed upon respondent by Texas and until he successfully completes the period of probation imposed upon him in the State of Texas.

Respondent Kyle Matthew Kinzy shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.032079 - In re: Nichole Elizabeth Tuliszewski. Disciplinary Commission.

Motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board. Allowed. Respondent Nichole Elizabeth Tuliszewski is suspended from the practice of law for six (6) months and until further order of the Court.

Order entered by the Court.

M.R.032105 - In re: Kurt D. Hyzy. Disciplinary Commission.

Motion by Kurt D. Hyzy to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a). Allowed. Effective immediately.

Order entered by the Court.