

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 40 DB 2018
Petitioner	:	
	:	File No. C1-17-358 & C1-17-662
v.	:	
	:	Attorney Registration No. 93214
EVAN T. L. HUGHES	:	
Respondent	:	(Philadelphia)


ORDER

AND NOW, this 26th day of March, 2018, in accordance with Rule 208(a)(5), Pa.R.D.E., the determination by a Review Panel of the Disciplinary Board of the above captioned matter is accepted; and it is

ORDERED that the said EVAN T. L. HUGHES be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a)(5) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement.


Costs shall be paid by the Respondent.

BY THE BOARD:



Board Chair

TRUE COPY FROM RECORD
Attest:



Marcee D. Sloan, Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL	:	No. 40 DB 2018
Petitioner	:	
	:	
v.	:	
	:	Attorney Registration No. 93214
EVAN T.L. HUGHES	:	
Respondent	:	(Philadelphia)

PUBLIC REPRIMAND

Evan T.L. Hughes, you stand before the Disciplinary Board, your professional peers and members of the public for the imposition of a Public Reprimand. It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of this Commonwealth. Yet as repugnant as this task may be, it has been deemed necessary that you receive this public discipline.

Mr. Hughes, the record indicates that you are being reprimanded today for your misconduct in two client matters, as well as your failure to respond to Office of Disciplinary Counsel.

In the first matter, in or around January 2017, you were retained by Armando Perez to represent him in two criminal matters in the Superior Court of New Jersey, Camden County. Although you were not licensed in the State of New Jersey, you failed to advise your client that you were prohibited from practicing law in that jurisdiction. You also failed to file a motion for *pro hac vice* admission in order to be allowed to represent Mr. Perez in his New Jersey matters. You further failed to retain a licensed New Jersey lawyer to assist you with the representation.

On January 9, 2017, you entered your appearance on behalf of your client before the Honorable Gwendolyn Blue. During the hearing, you failed to advise Judge Blue or

opposing counsel that you were not licensed to practice law in New Jersey. You also failed to request that Judge Blue allow you to be admitted *pro hac vice* in order to proceed with Mr. Perez's representation. Judge Blue continued the hearing to January 23, 2017, in order to give you more time to prepare. On January 23, 2017, you appeared on behalf of your client before Judge Blue for a status hearing. Again, you failed to inform Judge Blue and opposing counsel that you were not eligible to practice law in New Jersey. At the conclusion of the hearing, Judge Blue scheduled dates for briefs, jury selection and trial, but you never informed Judge Blue that you were not permitted to represent your client.

On April 17, 2018, Lauren Wimmer, Esquire, a licensed New Jersey attorney, filed a notice for your *pro hac vice* admission. The Court denied the motion.

In the second matter, in June of 2015, you were retained by Luis Trujillo to represent him on his appeal from his criminal conviction sentencing in the Court of Common Pleas of Northampton County. In July 2015, you filed a notice of appeal of the sentence with the Superior Court of Pennsylvania. You were required to file a brief on or before October 13, 2015 with the Superior Court, but you failed to do so. By Order dated November 5, 2015, the Superior Court dismissed your client's appeal as a result of your failure to file a brief.

On January 28, 2016, you filed a Post-Conviction Relief Act ("PCRA") Petition on behalf of your client alleging trial counsel's ineffectiveness, and on May 13, 2016, you attended an evidentiary hearing in regard to the PCRA Petition. Thereafter, your client attempted to contact you by letters and telephone asking for a status update on his matter, and to request copies of his transcripts and discovery materials. Although you received these messages and letters, you failed to respond. In January 2017, your client inquired about the status of his PCRA Petition, stating that he had not received

any mail from you since May 2016, and asked that you respond to his letter, but you failed to do so.

By Order dated February 16, 2017, the lower court denied your client's PCRA Petition. Although you received a copy of the court's Order, you failed to inform your client, and you failed to file an appeal of the denial of the PCRA Petition.

By letter dated March 28, 2017, your client again inquired as to the status of his PCRA Petition and requested a copy of his transcripts and discovery materials. You failed to respond to the letter and failed to return your client's property as requested.

By DB-7 letter dated November 1, 2017, Office of Disciplinary Counsel requested that you respond to allegations concerning the above matters. You were granted a 30-day extension to file a response, but failed to do so.

As a result of your conduct, you have violated the following Rule of Professional Conduct ("RPC") and Pennsylvania Rule of Disciplinary Enforcement ("Pa.R.D.E."):

1. RPC 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client.
2. RPC 1.4(a)(3) – A lawyer shall keep the client reasonably informed about the status of the matter.
3. RPC 1.4(a)(4) – A lawyer shall promptly comply with reasonable requests for information.
4. RPC 1.4(b) – A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.
5. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such

as giving reasonable notice to the client, allowing time for employment of other counsel, and surrendering papers and property to which the client is entitled.

6. RPC 3.3(a)(1) - A lawyer shall not knowingly make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer.
7. RPC 5.5(a) – A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.
8. RPC 7.1 – A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading.
9. RPC 8.4(a) – It is professional misconduct for a lawyer to violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.
10. RPC 8.4(c) - It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.
11. RPC 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.
12. Pa.R.D.E. 203(b)(7) – Failure by a respondent-attorney without good cause to respond to Disciplinary Counsel's request or supplemental request under Disciplinary Board Rules, §87.7(b) for a statement of the respondent-attorney's position, shall be grounds for discipline.

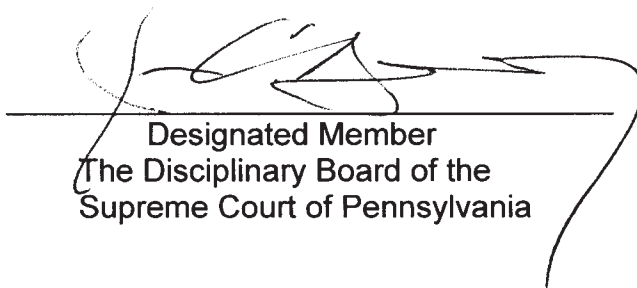
13. By his acts, Respondent violated the following New Jersey Rules of Professional Conduct: 1.4(c), 3.3(a)(5), 5.5(a)(1), 7.1(a)(1), 8.4(a), 8.4(c) and 8.4(d).

It is my duty to reprimand you for your misconduct. We note that you have practiced law since 2004 and have no prior discipline. Please be aware that any subsequent violations on your part can only result in further discipline and perhaps more severe sanctions. We sincerely hope that you will conduct yourself in such a manner that future disciplinary action will be unnecessary.

Mr. Hughes, your conduct in this matter is now fully public. This Public Reprimand is a matter of public record.

As you stand before the Board today, we remind you that you have a continuing obligation to abide by the Rules of Professional Conduct and Rules of Disciplinary Enforcement. This Public Reprimand is proof that Pennsylvania lawyers will not be permitted to engage in conduct that falls below professional standards. Be mindful that any future dereliction will subject you to disciplinary action.

This Public Reprimand shall be posted on the Disciplinary Board's website at www.padisciplinaryboard.org




Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Philadelphia, Pennsylvania, on July 17, 2018.

ACKNOWLEDGMENT

The undersigned, Respondent in the above proceeding, herewith acknowledges that the above Public Reprimand was administered in his presence and in the presence of the designated panel of The Disciplinary Board at the Board offices located at the 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania, on July 17, 2018.

A handwritten signature in cursive script that reads "Evan Hughes". The signature is written in black ink and is positioned above a horizontal line.

Evan T.L. Hughes