

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 3174 Disciplinary Docket No. 3
	:	
Petitioner	:	No. 159 DB 2025
	:	
v.	:	Attorney Registration No. 329922
	:	
THOMAS McCARTHY,	:	(Philadelphia)
	:	
Respondent	:	

ORDER

PER CURIAM

AND NOW, this 17th day of April, 2026, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board, the Joint Petition in Support of Discipline on Consent is granted, and Thomas McCarthy is suspended on consent from the Bar of this Commonwealth for a period of one year and one day. Respondent shall comply with the provisions of Pa.R.D.E. 217 and pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Nicole Traini
As Of 04/17/2026

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :
Petitioner :
: No. 159 DB 2025
v. :
: Atty. Reg. No. 329922
THOMAS MCCARTHY, :
Respondent : (Philadelphia)

**JOINT PETITION IN SUPPORT OF DISCIPLINE
ON CONSENT UNDER RULE 215(d), Pa.R.D.E.**

Petitioner, Office of Disciplinary Counsel ("ODC"), by Thomas J. Farrell, Esquire, Chief Disciplinary Counsel, and by Richard Hernandez, Esquire, Disciplinary Counsel, and Respondent, Thomas McCarthy, file this Joint Petition In Support of Discipline On Consent Under Rule 215(d) of the Pennsylvania Rules of Disciplinary Enforcement ("the Joint Petition"), and respectfully represent that:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, Pennsylvania, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereinafter "Pa.R.D.E."), with the power and duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of said Rules of Disciplinary Enforcement.

2. Respondent, Thomas McCarthy, was born in 1991, was admitted to practice law in the Commonwealth on April 30, 2021, and currently resides in

FILED
02/26/2026
**The Disciplinary Board of the
Supreme Court of Pennsylvania**

Philadelphia, Pennsylvania.

3. Pursuant to Pa.R.D.E. 201(a)(1), Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

4. On November 21, 2025, Petitioner filed a Petition for Discipline against Respondent with the Disciplinary Board Prothonotary.

SPECIFIC FACTUAL ADMISSIONS AND ETHICS RULES VIOLATED

5. Respondent has agreed to enter into a joint recommendation for consent discipline.

6. Respondent stipulates that the factual allegations set forth below are true and correct and that he violated the charged Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement as set forth herein.

CHARGE

7. On April 30, 2021, Respondent was admitted to practice law in the Commonwealth of Pennsylvania.

8. Respondent was hired by Devlin Associates, P.C. ("the Devlin firm") on August 24, 2024.

9. On May 24, 2024, Respondent filed his 2024-2025 Pennsylvania Attorney Annual Registration Form ("the 2024 Annual Form").

10. On the 2024 Annual Form, Respondent, inter alia:

- a. listed his mailing address as 1719 W. Ritner Street, Philadelphia, PA 19145 ("the Ritner mailing address");

- b. listed tjmccarthy.law@gmail.com as his email address; and
- c. certified that the information he provided in connection with the 2024 Annual Form was complete and accurate.

11. The Pennsylvania Continuing Legal Education Board (“the CLE Board”) assigned Respondent to Compliance Group 1.

- a. Attorneys assigned to Compliance Group 1 have a deadline of April 30 to comply with the Pennsylvania Continuing Legal Education (“CLE”) requirements.

12. By letter dated February 2, 2024, sent to Respondent at the Ritner mailing address, the CLE Board, *inter alia*:

- a. enclosed Respondent’s Preliminary Annual CLE Report, which showed the CLE courses he had taken towards the CLE requirements as of February 2, 2024;
- b. stated that the CLE Board’s records showed that he had yet to complete the CLE requirements due by April 30, 2024;
- c. provided information regarding the CLE requirements and the resources he could use to locate approved CLE courses;
- d. “recommended that [he] take action to satisfy [his] CLE requirements prior to the compliance deadline;” and
- e. Informed him that lawyers who failed to complete the CLE requirements by the compliance deadline will be considered non-compliant, resulting in the assessment of a \$100 late fee

and subjecting his “law license to PA CLE Rule 111 related to administrative suspension.”

13. Respondent received this letter, with enclosure.

14. By letter dated June 21, 2024, sent to Respondent at the Ritner mailing address, the CLE Board, *inter alia*:

- a. enclosed Respondent’s Annual CLE Report, which showed that he was non-compliant with the CLE requirements for the compliance period ending on April 30, 2024;
- b. stated that the CLE Board’s records showed that he was non-compliant with the CLE requirements due by April 30, 2024;
- c. informed him that a late fee of \$100 had been assessed because he was non-compliant with the CLE requirements;
- d. advised that he had sixty days from the date of that notice to complete the CLE requirements and to pay any outstanding late fees and that his failure to do so would result “in the assessment of a second \$100 late fee and [his] name being included on a non-compliant report to the Supreme Court of Pennsylvania;”
- e. listed four steps he could take to resolve his non-compliance with the CLE requirements; and
- f. offered assistance “in achieving compliance.” (underscore in original)

15. Respondent received this letter, with enclosure.

16. By letter dated September 25, 2024, sent to Respondent at the Ritner mailing address, the CLE Board, *inter alia*:

- a. stated that the letter served as a second notification that he was non-compliant with the CLE requirements due on April 30, 2024;
- b. informed him that a second late fee of \$100 had been assessed;
- c. advised him that if he failed to complete the CLE requirements and pay any outstanding fees by 4:00 PM on October 25, 2024, his name would be included on a non-compliant report for submission to the Supreme Court of Pennsylvania;
- d. informed him that upon receipt of that non-compliant report, the Supreme Court would issue an order to “administratively suspend [his] license to practice law in the Commonwealth of Pennsylvania and a third \$100 late fee [would] be assessed;”
- e. listed five steps he could take to resolve his non-compliance with the CLE requirements;
- f. encouraged him “to remedy this situation” before October 25, 2024; and
- g. offered to assist him in completing the CLE requirements.

17. Respondent received this letter, with enclosure.

18. By Order dated November 13, 2024 (“the Order”), effective December 13, 2024, the Supreme Court of Pennsylvania placed Respondent on administrative suspension pursuant to Rule 111(b) of the Pennsylvania Rules for Continuing Legal Education (“Pa.C.L.E.”) for failure to comply with CLE requirements.

19. By letter dated November 13, 2024, sent to Respondent by certified mail, return receipt requested, at the Ritner mailing address, Suzanne E. Price, Attorney Registrar:

- a. enclosed a copy of the Order and one page of the attachment, which contained Respondent’s name;
- b. advised that he was to be administratively suspended effective December 13, 2024, for having failed to comply with the CLE requirements;
- c. advised that he was required to comply with the Pennsylvania Rules for Continuing Legal Education, Pennsylvania Rule of Disciplinary Enforcement 217, and Disciplinary Board Rules §§91.91-91.99;
- d. provided a link where he could obtain information from the Pennsylvania Disciplinary Board’s website concerning compliance for attorneys who were administratively suspended;
- e. notified him that to avoid his administrative suspension, he

had to satisfy his CLE requirements;

- f. provided two telephone numbers he could use for contacting the CLE staff if he had any questions regarding the Order; and
- g. enclosed a letter prepared by the CLE Board, which letter provided information regarding compliance with the CLE rules.

20. On November 15, 2024, Respondent accepted delivery of this letter.

21. Respondent reviewed Ms. Price's November 13, 2024 letter, with enclosures.

22. On December 2, 2024, Jason Ilgenfritz, Compliance Specialist with the CLE Board, sent an email to Respondent at Respondent's gmail email address.

- a. This email stated the following in the subject line: "PACLE suspension reminder – 329922 [his Pennsylvania attorney identification number]."

23. Mr. Ilgenfritz's December 2, 2024 email:

- a. advised that Respondent had not complied with the CLE requirements due on April 30, 2024;
- b. asked him to access his "MyPACLE account at www.pacle.org to review [his] CLE status and identify steps [he] can take to achieve compliance;" and
- c. stated that all "hours and fees must be onto [his] account by **12/11/24** to avoid [his] license being placed on Administrative

Suspension.” (bold in original)

24. Respondent received this email.

25. Respondent reviewed this email.

26. Respondent knew that as of December 13, 2024, his Pennsylvania law license was administratively suspended for failing to satisfy the CLE requirements.

27. Respondent knew that he was ineligible to practice law in Pennsylvania by virtue of:

- a. the letters and email he received from the CLE Board in 2024;
and
- b. Ms. Price’s November 13, 2024 letter, which enclosed the Order.

28. Respondent violated Pa.R.D.E. 217(e)(1), in that he did not file a verified Statement of Compliance with the Disciplinary Board within ten days after the effective date of his administrative suspension.

29. For those client matters Respondent was handling on behalf of the Devlin firm after he was administratively suspended, he failed to notify the Devlin firm’s clients, in writing, that:

- a. he had been administratively suspended; and
- b. he could not represent them.

30. Respondent failed to notify John Gerard Devlin, Esquire, and other attorneys and staff employed with the Devlin firm, Respondent had been

administratively suspended.

31. After Respondent's administrative suspension became effective, he provided legal services on behalf of the Devlin firm's clients either by preparing to represent the Devlin firm's clients in court proceedings or by representing the Devlin firm's clients in court proceedings in 37 civil cases.

32. After Respondent's administrative suspension became effective, he provided legal services on behalf of the Devlin firm's clients by participating in depositions in three matters.

33. Respondent failed to notify the judges and/or opposing counsel that he was administratively suspended in those civil cases he appeared in court or participated in depositions on behalf of the Devlin firm's clients.

34. After Respondent's administrative suspension became effective, he provided legal services on behalf of the Devlin firm's clients by communicating with the Devlin firm's clients and third parties about the matters involving the Devlin firm's clients, negotiating and effectuating the settlement of matters involving the Devlin firm's clients, providing discovery to opposing counsel, preparing the Devlin firm's clients to appear in court, and conducting legal research in 134 matters.

35. After Respondent's administrative suspension became effective, Respondent continued to represent himself to others as a lawyer licensed to practice law in Pennsylvania.

36. After Respondent's administrative suspension became effective, Respondent used forms of communication that conveyed he was eligible to

practice law in the state courts of Pennsylvania, such as by using business cards and having his attorney profile remain on the Devlin firm's website.

37. On June 30, 2025, Mr. Devlin, and other attorneys and staff employed with the Devlin firm, learned for the first time that Respondent's law license had been administratively suspended.

38. After Mr. Devlin learned that Respondent's law license had been administratively suspended, Respondent's employment at the Devlin firm was terminated.

39. Respondent remains administratively suspended.

40. By DB-7 Request for Statement of Respondent's Position ("the DB-7 letter") dated August 22, 2025, sent by certified mail to Respondent at the Ritner mailing address and by email to Respondent's gmail email address, ODC notified Respondent:

- a. of allegations relating to the complaint opened on the motion of ODC, as set forth above; and
- b. that the failure to respond to the DB-7 letter without good cause would be an independent ground for discipline pursuant to Pa.R.D.E. 203(b)(7).

41. On August 30, 2025, the DB-7 letter was delivered and left with an individual at the Ritner mailing address.

42. By letter dated October 3, 2025, sent by certified mail to Respondent at the Ritner mailing address and by email to Respondent's gmail email address,

ODC notified Respondent:

- a. that he had not responded to the DB-7 letter, a copy of which was enclosed;
- b. that the failure to respond to the DB-7 letter without good cause would be an independent ground for discipline pursuant to Pa.R.D.E. 203(b)(7); and
- c. if he did not respond to the allegations of misconduct in the DB-7 letter or provide good cause for failing to respond by October 24, 2025, ODC would proceed to make a recommendation as to the disposition of the complaint and may seek to impose discipline for his misconduct, including his violation of Pa.R.D.E. 203(b)(7).

43. On October 8, 2025, the DB-7 letter was delivered and left with an individual at the Ritner mailing address.

44. Respondent failed to:

- a. submit to ODC a response to the DB-7 letter; or
- b. present to ODC evidence that he had good cause for not responding to the DB-7 letter.

45. By his conduct as alleged in paragraphs 7 through 44 above, Respondent violated the following Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement:

- a. RPC 5.5(a), which states that 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;
- b. RPC 8.4(c), which states that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation, except that a lawyer may advise, direct, or supervise others, including clients, law enforcement officers, and investigators who participate in lawful investigative activities;
- c. RPC 8.4(d), which states that it is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice;
- d. Pa.R.D.E. 203(b)(7), which states that 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; and
- e. Pa.R.D.E. 203(b)(3), which states that a wilful violation of any other provision of the Enforcement Rules shall be grounds for discipline, *via:*
 - (1) Pa.R.D.E. 217(b), which states that a formerly admitted attorney shall promptly notify, or cause to be promptly notified, all clients who are involved in pending litigation or administrative

proceedings, and the attorney or attorneys for each adverse party in such matter or proceeding, of the disbarment, suspension, temporary suspension, administrative suspension or transfer to disability inactive status and consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension, temporary suspension, administrative suspension or transfer to disability inactive status. The notice to be given to the client shall advise the prompt substitution of another attorney or attorneys in place of the formerly admitted attorney. In the event the client does not obtain substitute counsel before the effective date of the disbarment, suspension, temporary suspension, administrative suspension or transfer to disability inactive status, it shall be the responsibility of the formerly admitted attorney to move in the court or agency in which the proceeding is pending for leave to withdraw. The notice to be given to the attorney or attorneys for an adverse party shall state the place of residence of the client of the formerly admitted attorney. The notice required by this subdivision (b) may be delivered by the most efficient method possible so long as the chosen method is successful and provides proof of receipt. See Note after subdivision (a), *supra*. At the time of the filing of the verified statement of compliance

required by subdivision (e)(1) of this Rule, the formerly admitted attorney shall file copies of the notices required by this subdivision and proofs of receipt with the Board and shall serve a conforming copy on Disciplinary Counsel. See D.Bd. Rules § 91.92(b) (relating to filing of copies of notice);

- (2) Pa.R.D.E. 217(c)(2), which states that a formerly admitted attorney shall promptly notify, or cause to be promptly notified, of the disbarment, suspension, temporary suspension, administrative suspension or transfer to disability inactive status all other persons with whom the formerly admitted attorney may at any time expect to have professional contacts under circumstances where there is a reasonable probability that they may infer that he or she continues as an attorney in good standing;
- (3) Pa.R.D.E. 217(d)(2), which states that in addition to the steps that a formerly admitted attorney must promptly take under other provisions of this Rule to disengage from the practice of law, a formerly admitted attorney shall promptly cease and desist from using all forms of communication that expressly or implicitly convey eligibility to practice law in the state courts of Pennsylvania, including but not limited to professional titles, letterhead, business cards, signage, websites, and references

to admission to the Pennsylvania Bar;

- (4) Pa.R.D.E. 217(e)(1), which states that within ten days after the effective date of the disbarment, suspension, temporary suspension, administrative suspension or transfer to disability inactive status order, the formerly admitted attorney shall file with the Board a verified statement and serve a copy on Disciplinary Counsel. In the verified statement, the formerly admitted attorney shall: (i) aver that the provisions of the order and these rules have been fully complied with; (ii) list all other state, federal and administrative jurisdictions to which the formerly admitted attorney is admitted to practice, aver that he or she has fully complied with the notice requirements of paragraph (3) of subdivision (c) of this Rule, and aver that he or she has attached copies of the notices and proofs of receipt required by (c)(3); or, in the alternative, aver that he or she was not admitted to practice in any other tribunal, court, agency or jurisdiction; (iii) aver that he or she has attached copies of the notices required by subdivisions (a), (b), and (c)(1) and (c)(2) of this Rule and proofs of receipt, or, in the alternative, aver that he or she has no clients, third persons to whom a fiduciary duty is owed, or persons with whom the formerly admitted attorney has professional contacts, to so

notify; (iv) in cases of disbarment or suspension for a period exceeding one year, aver that he or she has attached his or her attorney registration license card or certificate for the current year, certificate of admission, any certificate of good standing issued by the Court Prothonotary, and any other certificate required by subdivision (h) of this Rule to be surrendered; or, in the alternative, aver that he or she has attached all such documents within his or her possession, or that he or she is not in possession of any of the certificates required to be surrendered; (v) aver that he or she has complied with the requirements of paragraph (2) of subdivision (d) of this Rule, and aver that he or she has, to the extent practicable, attached proof of compliance, including evidence of the destruction, removal, or abandonment of indicia of Pennsylvania practice; or, in the alternative, aver that he or she neither had nor employed any indicia of Pennsylvania practice; (vi) in cases of disbarment, suspension for a period exceeding one year, temporary suspension under Enforcement Rule 208(f) or 213(g), or disability inactive status under Enforcement Rule 216 or 301, aver that he or she has complied with the requirements of paragraph (3) of subdivision (d) of this Rule, and aver that he

or she has attached proof of compliance, including resignation notices, evidence of the closing of accounts, copies of cancelled checks and other instruments demonstrating the proper distribution of client and fiduciary funds, and requests to cancel advertisements and telecommunication listings; or, in the alternative, aver that he or she has no applicable appointments, accounts, funds, advertisements, or telecommunication listings; (vii) aver that he or she has served a copy of the verified statement and its attachments on Disciplinary Counsel; (viii) set forth the residence or other address where communications to such person may thereafter be directed; and (ix) sign the statement. The statement shall contain an averment that all statements contained therein are true and correct to the best of the formerly admitted attorney's knowledge, information and belief, and are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities;

- (5) Pa.R.D.E. 217(j)(3), which states that a formerly admitted attorney may have direct communication with a client or third party regarding a matter being handled by the attorney, organization or firm for which the formerly admitted attorney works only if the communication is limited to ministerial

matters such as scheduling, billing, updates, confirmation of receipt or sending of correspondence and messages. The formerly admitted attorney shall clearly indicate in any such communication that he or she is a legal assistant and identify the supervising attorney;

- (6) Pa.R.D.E. 217(j)(4)(iv), which states that a formerly admitted attorney is specifically prohibited from representing himself or herself as a lawyer or person of similar status;
- (7) Pa.R.D.E. 217(j)(4)(v), which states that a formerly admitted attorney is specifically prohibited from having any contact with clients either in person, by telephone, or in writing, except as provided in paragraph (3);
- (8) Pa.R.D.E. 217(j)(4)(vi), which states that a formerly admitted attorney is specifically prohibited from rendering legal consultation or advice to a client;
- (9) Pa.R.D.E. 217(j)(4)(vii), which states that a formerly admitted attorney is specifically prohibited from appearing on behalf of a client in any hearing or proceeding or before any judicial officer, arbitrator, mediator, court, public agency, referee, magistrate, hearing officer or any other adjudicative person or body;

- (10) Pa.R.D.E. 217(j)(4)(viii), which states that a formerly admitted attorney is specifically prohibited from appearing as a representative of the client at a deposition or other discovery matter; and
- (11) Pa.R.D.E. 217(j)(4)(ix), which states that a formerly admitted attorney is specifically prohibited from negotiating or transacting any matter for or on behalf of a client with third parties or having any contact with third parties regarding such a negotiation or transaction.

SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

46. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a suspension for a period of one year and one day.

47. Respondent hereby consents to that discipline being imposed upon him by the Supreme Court of Pennsylvania. Attached to this Petition is Respondent's executed Affidavit required by Rule 215(d), Pa.R.D.E., stating that he consents to the recommended discipline, including the mandatory acknowledgements contained in Rule 215(d)(1) through (4), Pa.R.D.E.

48. In support of Petitioner and Respondent's joint recommendation, it is respectfully submitted that there are several mitigating circumstances:

- a. Respondent has admitted engaging in misconduct and violating the charged Rules of Professional Conduct and

Pennsylvania Rules of Disciplinary Enforcement;

- b. Respondent has cooperated with Petitioner, as is evidenced by Respondent's admissions herein and his consent to receiving a suspension for one year and one day;
- c. Respondent is remorseful for his misconduct and understands he should be disciplined, as is evidenced by his consent to receiving a suspension for a period of one year and one day; and
- d. Respondent has no prior record of discipline.

49. Precedent supports the joint recommendation that Respondent receive a suspension of one year and one day for having engaged in the unauthorized practice of law. Attorneys with no record of discipline who have engaged in the unauthorized practice of law in numerous client matters have received suspensions of one year and one day. **See, e.g., Office of Disciplinary Counsel v. Stephen H. Griffiths**, No. 191 DB 2006 (D.Bd. Rpt. 4/4/2008)(S.Ct. Order 8/29/2008)(Griffiths, who was on inactive status, engaged in the unauthorized practice of law in not less than 50 matters, which consisted of representing parties in civil actions in the Court of Common Pleas of Philadelphia County and performing other legal services); **Office of Disciplinary Counsel v. Robert Mark Unterberger**, No. 14 DB 2007 (D.Bd. Rpt. 2/21/2008)(S.Ct. Order 6/18/2008)(Unterberger, who was on inactive status, engaged in the unauthorized practice of law by entering his appearance in approximately 294 cases in the Court

of Common Pleas of Luzerne County, and representing to clients, judges, attorneys and third parties that he was eligible to practice law; respondent also rendered legal consultation and advice to clients); **Office of Disciplinary Counsel v. Jill Carol Castellini**, No. 110 DB 2012 (S.Ct. Order 11/16/2012, approving Consent Discipline Petition)(Castellini, while administratively suspended, engaged in the unauthorized practice of law in 51 client matters by attending hearings in workers' compensation court, participating in mediations in workers' compensation matters, attending hearings in discovery court, appearing at a settlement conference and an oral argument, and attending depositions.).

The unauthorized practice of law is treated as serious misconduct. The Disciplinary Board observed that "the Supreme Court does not tolerate lawyers who take a lax approach to the administrative rules governing the practice of law. Even in situations where lawyers lack disciplinary records and have otherwise good reputations, the Court finds their conduct contemptuous and requires them to be suspended for one year and one day, thus obligating the lawyer to petition for reinstatement in the future." **Office of Disciplinary Counsel v. Harry Curtis Forrest, Jr.**, No. 134 DB 2003 (D.Bd. Rpt. 12/30/2004, pp. 13-14)(S. Ct. Order 3/24/2005)(Forrest was suspended for one year and one day for engaging in the unauthorized practice of law in only two client matters while on inactive status for failing to satisfy his CLE requirements; Forrest had no record of discipline and expressed remorse for his misconduct.).

50. Petitioner's and Respondent's joint recommendation for Respondent to be suspended for one year and one day accounts for relevant precedent, Respondent's admissions, and the mitigating factors.

Moreover, Petitioner's and Respondent's joint suspension recommendation is a sufficient length to advance the goals of attorney discipline. Those goals are protecting the public, maintaining the integrity of the courts and the legal profession, and specific and general deterrence. See *Office of Disciplinary Counsel v. Keller*, 506 A.2d 872, 875 (Pa. 1986); *In re Iulo*, 766 A.2d 335, 338-339 (Pa. 2001). The length of Respondent's suspension requires Respondent to prove his fitness to resume the practice of law at a reinstatement hearing.

WHEREFORE, Petitioner and Respondent respectfully request that:

1. Pursuant to Rule 215(e) and 215(g), Pa.R.D.E., the Three-Member Panel of the Disciplinary Board review and approve the above Joint Petition In Support Of Discipline On Consent and file its recommendation with the Supreme Court of Pennsylvania in which it is recommended that the Supreme Court enter an Order that Respondent receive a suspension of one year and one day and that Respondent comply with all of the provisions of Rule 217, Pa.R.D.E.; and
2. Pursuant to Pa.R.D.E. 215(i), the Three-Member Panel of the Disciplinary Board recommend the Supreme Court of Pennsylvania enter an order for Respondent to pay the

necessary expenses incurred in the investigation and prosecution of this matter, and that under Pa.R.D.E. 208(g)(1) all expenses be paid by Respondent within 30 days after the notice of taxed expenses is sent to Respondent.

Respectfully and jointly submitted,


OFFICE OF DISCIPLINARY COUNSEL

THOMAS J. FARRELL
CHIEF DISCIPLINARY COUNSEL

February 26, 2026
Date

By 
Richard Hernandez
Disciplinary Counsel

2/26/26
Date

By 
Thomas McCarthy
Respondent

BEFORE THE DISCIPLINARY BOARD OF
THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :
Petitioner :
: No. 159 DB 2025
v. :
: Atty. Reg. No. 329922
THOMAS MCCARTHY, :
Respondent : (Philadelphia)


VERIFICATION

The statements contained in the foregoing Joint Petition In Support Of Discipline On Consent Under Pa.R.D.E. 215(d) are true and correct to the best of our knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

February 26, 2026
Date


Richard Hernandez
Disciplinary Counsel

2/24/24
Date


Thomas McCarthy
Respondent

BEFORE THE DISCIPLINARY BOARD OF
THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :
Petitioner :
: No. 159 DB 2025
v. :
: Atty. Reg. No. 329922
THOMAS MCCARTHY, :
Respondent : (Philadelphia)

AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.


Respondent, Thomas McCarthy, hereby states that he consents to the imposition of a suspension of one year and one day, as jointly recommended by Petitioner, Office of Disciplinary Counsel, and Respondent in the Joint Petition in Support of Discipline on Consent and further states that:

1. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress; he is fully aware of the implications of submitting the consent; and he has not consulted with counsel in connection with the decision to consent to discipline;

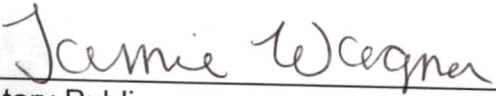
2. He is aware that there is presently pending a disciplinary proceeding at 159 DB 2025, involving allegations that he has been guilty of misconduct as set forth in the Joint Petition;

3. He acknowledges that the material facts set forth in the Joint Petition are true; and

4. He consents because he knows that if the charges pending at 159 DB 2025 continued to be prosecuted, he could not successfully defend against them.


Thomas McCarthy
Respondent,

Sworn to and subscribed
before me this 26th
day of February, 2026.


Notary Public

Commonwealth of Pennsylvania - Notary Seal
Jamie Wagner, Notary Public
Philadelphia County
My Commission Expires September 26, 2026
Commission Number 1426983

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Office of Disciplinary Counsel

Signature:  _____

Name: Richard Hernandez, Disciplinary Counsel

Attorney No. (if applicable): 57254