

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

OFFICE OF DISCIPLINARY COUNSEL	:	No. 134 DB 2015
Petitioner	:	
	:	File No. C2-13-866
v.	:	
	:	Attorney Registration No. 26110
JOHN J. O'BRIEN, III	:	
Respondent	:	(Montgomery County)

PUBLIC REPRIMAND

John J. O'Brien, III, 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. O'Brien, you are being reprimanded today for your conduct in connection with your representation of the Estate of Dori Morris. You filed a Petition for Probate in the estate that utilized an address in Montgomery County, Pennsylvania, at which you knew Ms. Morris had never resided. At the time she died, Ms. Morris did not reside in Pennsylvania, nor had she ever, at any time, resided at the address you supplied in the Petition for Probate. You knew or should have known that Ms. Morris' estate could not properly be raised in Pennsylvania. The ongoing litigation that you subsequently cited did not justify your attempt to raise an estate in Montgomery County, which was without jurisdiction to administer it. Your claim on the Petition for Probate was a false statement of material fact intended to mislead the Register of Wills and the tribunal into believing that Ms. Morris had a residence in Pennsylvania at the time of her death when you knew that she did not.

Your conduct in this matter has violated the following Rules of Professional Conduct:


1. RPC 3.1 – (Bringing or defending a proceeding, or asserting or controverting an issue therein, unless there is a basis in law and fact for doing so that is not frivolous);
2. RPC 3.3(a)(1) – (Knowingly making a false statement of material fact or law to a tribunal);
3. RPC 4.1 – (In the course of representing a client, knowingly making a false statement of material fact or law to a third person);
4. RPC 8.4(d) - (Engaging in conduct that is prejudicial to the administration of justice).

We note that you have been subject to professional discipline in the past. In 2009, you received an Informal Admonition. By Order of the Supreme Court dated March 28, 2013, you were placed on a one year stayed suspension with probation, which expired by its terms on March 28, 2014.

Mr. O'Brien, 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.

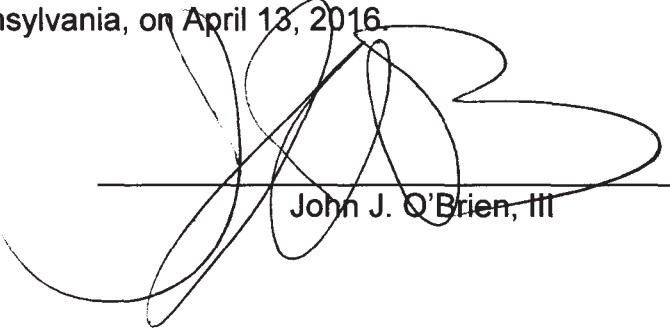


Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Trooper, Pennsylvania, on April 13, 2016.

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 820 Adams Avenue, Suite 179, Trooper, Pennsylvania, on April 13, 2016.



John J. O'Brien, III