

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 3181 Disciplinary Docket No. 3
	:	
Petitioner	:	No. 154 DB 2025
	:	
	:	Attorney Registration No. 90557
v.	:	
	:	(Chester County)
	:	
DAVID PAUL CLARK,	:	
	:	
Respondent	:	

ORDER

PER CURIAM

AND NOW, this 1st day of October, 2026, upon consideration of the Verified Statement of Resignation, David Paul Clark is disbarred on consent from the Bar of this Commonwealth. See Pa.R.D.E. 215. See *also* Pa.R.D.E. 217(e)(1) Note (“Although the grant of retroactivity is always discretionary, a respondent-attorney who fails to file a verified statement at the time of the temporary suspension should not expect a final order to include a reference to retroactivity.”). 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 10/01/2026

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF
THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 154 DB 2025

Petitioner :

v. :

: ODC File Nos.C2-25-1029,
: C2-26-585 and C2-26-593

DAVID PAUL CLARK,

Respondent :

: Atty. Registration No. 90557
: (Chester County)

RESIGNATION
UNDER Pa.R.D.E. 215

David Paul Clark, hereby tenders his unconditional resignation from the practice of law in the Commonwealth of Pennsylvania in conformity with Pa.R.D.E. 215 ("Enforcement Rules") and further states as follows:

1. He is a formerly admitted attorney, having been admitted to the bar of the Commonwealth of Pennsylvania on April 28, 2003. His attorney registration number is 90557.
2. By Order dated April 27, 2026, the Supreme Court of Pennsylvania granted a Joint Petition to Temporarily Suspend an Attorney and placed him on temporary suspension.
3. He did not file a verified statement of compliance pursuant to Pa.R.D.E. 217(e)(1).
4. He desires to submit his resignation as a member of said bar.

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The Disciplinary Board of the
Supreme Court of Pennsylvania

5. His resignation is freely and voluntarily rendered; he is not being subjected to coercion or duress and he is fully aware of the implications of submitting this resignation.

6. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He ~~has~~ has not retained, consulted with and acted upon the advice of counsel in connection with his decision to execute the within resignation.

7. He is aware that there are presently pending investigations into allegations that he has been guilty of misconduct, the nature of which allegations have been made known to him by: service of a Petition for Discipline, dated November 13, 2025, and service of three (3) letters of Request for Statement of Respondent's Position, Form DB-7, dated August 28, 2026, true and correct copies of which are attached hereto, made a part hereof and marked Exhibit "A" and Exhibit "B" respectively.

8. He acknowledges that the material facts upon which the complaints are predicated contained in Exhibit "A" and Exhibit "B" are true.

9. He submits the within resignation because he knows that he could not successfully defend himself against the charges of professional misconduct set forth in the attached exhibits.

10. He is fully aware that the submission of this Resignation

Statement is irrevocable and that he can only apply for reinstatement to the practice of law pursuant to the provisions of Enforcement Rule 218(b) and (c).

11. He is aware that pursuant to Enforcement Rule 215(c) the fact that he has tendered his resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Board Prothonotary.

12. Upon entry of the order disbaring him on consent, he will promptly comply with the notice, withdrawal, resignation, trust account, and cease-and-desist provisions of Enforcement Rule 217 (a), (b), (c) and (d).

13. After entry of the order disbaring him on consent, he will file a verified statement of compliance as required by Enforcement Rule 217(e) (1).

14. He is aware that the waiting period for eligibility to apply for reinstatement to the practice of law under Enforcement Rule 218(b) shall not begin until he files the verified statement of compliance required by Enforcement Rule 217(e)(1), and if the order of disbarment contains a provision that makes the disbarment retroactive to an earlier date, then the waiting period will be deemed to have begun on that earlier date.

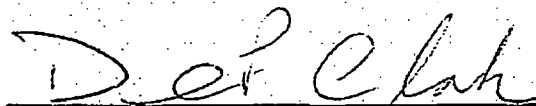
15. He requests that the order of disbarment includes a provision that

makes the disbarment retroactive to the date of his temporary suspension.

16. He understands that the decision whether to grant his request for retroactivity is within the Court's discretion.

It is understood that the statements made herein are subject to the penalties of 18 Pa.C.S., Section 4904 (relating to unsworn falsification to authorities).

Signed this ^{SEPTEMBER} 2 day of ~~August~~ 2026.



David Paul Clark
(Respondent)

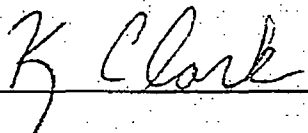
WITNESS: 

EXHIBIT "A"

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 154 DB 2025
Petitioner	:	
	:	
v.	:	Attorney Reg. No. 90557
	:	
DAVID PAUL CLARK,	:	
Respondent	:	(Chester County)

PETITION FOR DISCIPLINE

Petitioner, the Office of Disciplinary Counsel, by Thomas J. Farrell, Chief Disciplinary Counsel, and Jennifer Flemister, Disciplinary Counsel, files the within Petition for Discipline and charges Respondent, David Paul Clark, with professional misconduct in violation of the Rules of Professional Conduct as follows:

1. Petitioner, whose principal office is situated at Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 2700, P.O. Box 62485, Harrisburg, Pennsylvania 17106 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 any attorney admitted to practice law in the Commonwealth of

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The Disciplinary Board of the

Supreme Court of Pennsylvania

Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of said Rules.

2. Respondent, David Paul Clark, was born in 1965, was admitted to practice law in the Commonwealth of Pennsylvania on April 28, 2003, and maintains his office at 1109 Sherbrooke Drive, West Chester, Chester County, Pennsylvania 19382.

3. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

CHARGE

4. On February 22, 2021, Javan Outterbridge (hereinafter "Javan") was convicted in a bench trial before Judge Thomas G. Parisi of one count of aggravated indecent assault and two counts each of involuntary deviate sexual intercourse, statutory sexual assault, corruption of minors, and indecent assault in the matter captioned: *Commonwealth of Pennsylvania v. Javan S. Outterbridge*, Court of Common Pleas of Berks County, Docket Number CP-06-CR-0004813-2019 (hereinafter, "*Com. v. Outterbridge*").

5. On May 26, 2021, Judge Parisi sentenced Javan to an aggregate term of five to ten years' incarceration followed by thirteen years' probation.

6. On June 1, 2021, Richard A. Joyce, Jr. Esquire, filed on behalf of Javan a Motion to File Post-Sentence Motion *Nunc Pro Tunc*.

7. By Order dated June 11, 2021, Judge Parisi granted Mr. Joyce's June 1, 2021 Motion.

8. On July 9, 2021, Mr. Joyce filed a Post-Sentence Motion on behalf of Javan.

9. By Order dated August 5, 2021, Judge Parisi denied Javan's Post-Sentence Motion.

10. On August 9, 2021, Respondent had the following text message exchange with Javan's sister, Amanda Outterbridge ("Amanda"):

- a. Respondent: Hi its Dave Clark. I am an attorney that handles criminal matters in Berks County. I was asked to contact you regarding Javan's case. I am available after 6:00 to talk. Let me know if that time is convenient and if you want me to call
- b. Amanda: Hello, Thank you so much for contacting me. 6:00 p.m. is fine with me and you can call the. Thank you.

11. On August 10, 2021, Respondent texted Amanda:

"Good Morning – I spoke to my law partners and if you wish to retain us, I can give you information on next step [sic] and our law fee Let me know if you want me to call."

12. On August 10, 2021, Respondent had the following text message exchange with Amanda:

- a. Amanda: Thank you for following up today. My email address is amand [REDACTED] and my sister's [Rhonda] is: rhond [REDACTED]
- b. Respondent: Hi Amanda – sorry for delay. Very long day. I just emailed you the pre-engagement letter. If you respond

with payment information, I will see Javon [sic] tomorrow or Tuesday, 8/17 Thx Dave

13. On August 10, 2021, Respondent sent Rhonda and Amanda an Engagement Letter via email which stated *inter alia*:

- a. "Lehman, Pastino & Clark [hereafter know [sic] as "LPC"] agrees to provide legal representation to Javan Outterbridge [hereafter know [sic] as "client] in connection with the above captioned criminal matter filed in the Court of Common Pleas, Berks County, PA;"
- b. "Client hires attorney to provide following legal services:
 - i. LPC shall file an appeal to the Superior Court of Pennsylvania in regard to file [sic] verdict in the above captioned matter.
 - ii. LPC shall file an appeal under the Post Conviction Relief Act in regard to the above captioned matter.
- c. "Attorney will provide all legal services reasonably required to represent Client. Attorney will take reasonable steps to keep Client informed of progress and to respond to Client's inquiries."
- d. "Attorney and Client agree that this is a flat fee retainer agreement for legal service [sic] at the district court level and is a true retainer. The fee is deemed earned upon payment, and no other payment shall be due unless called for by this agreement or by separate agreement."
- e. "Upon receipt of this fee agreement, Client agree [sic] to pay a flat fee of seven thousand two hundred and fifty dollars (\$7,250.00)."

14. On August 11, 2021, Rhonda and Amanda paid a \$250.00 consultation fee via a Visa card to the "Law offices of David P. Clark."

15. On August 13, 2021, Respondent had the following text message exchange with Amanda:

- a. Respondent: Good Morning. I'm seeing Javon [sic] at 12:00 today. I'll text you after
- b. Amanda: Good morning. Alright. Thanks for the update.
- c. Respondent: I met with Javon [sic]. I thought our meeting went well and I am more confident in the appeal I'm [sic] driving back to West Chester and will be in the car for 1 hour. Let me know when you guys can talk
- d. Amanda: That's good news! My sister and I are available now if you'd like.

16. On August 14, 2021, Amanda paid Respondent \$7,250.00 via a check made out to David P. Clark.

17. Respondent's communications regarding his representation of Javan were made primarily through text messages and emails to Rhonda and Amanda.

18. Although Respondent's Letter of Engagement indicated that Respondent would be filing an appeal of Javan's conviction to the Superior Court and/or filing a PCRA on behalf of Javan, Respondent never entered Respondent's appearance in *Commonwealth v. Outterbridge* nor did he ever file a PCRA or an appeal to the Superior Court on behalf of Javan.

19. On August 27, 2021, Amanda emailed Respondent:

"Greetings,

I am just checking in to see if the appeal has been filed on Javan's behalf.
Thank you.
Amanda"

20. Respondent received Amanda's August 27, 2021 email but did not respond.

21. Respondent was aware that Amanda believed that Respondent would be filing the appeal in Javan's criminal matter but took no steps to correct that misimpression.

22. On September 1, 2021, Respondent had the following text message exchange with Amanda in part:

a. Respondent: Sorry Amanda – I decided to meet with client in the prison and it went really long

Can we talk this afternoon?

b. Amanda: This afternoon is fine.

c. Respondent: **I'm working on one thing in regards to the appeal and the DA just told me she would respond by tomorrow. Let me settle that so I can give you a proper update.** [emphasis added]

d. Amanda: Alright.

23. Respondent's September 1, 2021 text message to Amanda was false and misleading and Respondent knew it to be false and misleading because Respondent:

a. was not working on Javan's appeal to the Superior Court; and

- b. had never communicated with anyone from the Berks County District Attorney's Office ("DA Office") regarding Javan's criminal matter.

24. On September 7, 2021, Patrick Manley, Esquire from the Berks County Public Defender's Office:

- a. entered his appearance in *Commonwealth v. Outterbridge*;
- b. filed a Notice of Appeal to the Superior Court from the August 5, 2021 Order; and
- c. filed an Application to Lower Court for Leave to Appeal in Forma Pauperis Pursuant to Pa. R. App Proc. 552(d).

25. Although Respondent knew or should have known that Mr. Manley had filed an Appeal to the Superior Court on behalf of Javan, Respondent failed to communicate with either Mr. Joyce or Mr. Manley that he had been privately retained to file an appeal to the Superior Court and/or a PCRA in connection with *Commonwealth v. Outterbridge*.

26. On or about September 13, 2021, Respondent informed Rhonda and Amanda that he needed an additional payment of \$500.00 to "get transcripts."

27. Respondent's representation to Rhonda and Amanda that he needed an additional \$500.00 payment to obtain and review transcripts was false and misleading because:

- a. Respondent was not representing Javan in either his Superior Court appeal or in any PCRA; and
- b. Mr. Manley was representing Javan in his Superior Court appeal.

28. On September 13, 2021, Rhonda and Amanda made a \$500.00 payment via a Visa card to the "Law offices of David P. Clark."

29. Respondent did not acquire transcripts on behalf of Javan for his appeal, for which Respondent charged \$500.00.

30. On September 20, 2021, Respondent texted Amanda:

"Ananda[sic] – I apologize, meeting was rescheduled due to DA schedule. We meet tomorrow at 1:00 - - I'll call you after"

31. Respondent's September 13 and 20, 2021 text messages to Amanda were false and misleading and Respondent knew them to be false and misleading because Respondent:

- a. had not communicated with anyone from the DA's Office regarding Javan's criminal matter; and
- b. never had a meeting scheduled with anyone from the DA's Office in September 2021 regarding Javan's criminal matter.

32. From August 2021 through at least May 2024 Respondent repeatedly made materially false and/or misleading representations to Javan, Rhonda and/or Amanda regarding the work Respondent was purportedly doing in Javan's matter.

33. On October 1, 2021, Amanda texted Respondent:

“Good morning, Javan received a letter saying that everything had to be filed 21 days from September 27th to the lower court. it has a public defenders name on it. Do you know what this is all about? I was under the impression that you were representing him.”

34. On October 6, 2021, Judge Parisi entered his Memorandum Opinion.

35. On October 14, 2021, Amanda texted Respondent the following:

“Good morning. My brother’s case continues to appear as it is being handled by a public defender and he received another notice that the commonwealth [sic] wants his appeal denied. There was an argument put in about the SORNA. Are the courts aware that we hired privately?”

36. On or about early October 2021 Respondent:

- a. responded to Amanda’s October 1 and 14, 2021 text messages via a telephone call;
- b. informed Amanda that he would address the issue that the Public Defender was still attorney of record; and
- c. intentionally misrepresented that he was handling Javan’s Superior Court Appeal.

37. Respondent knew that Javan, Amanda and Rhonda believed that Respondent was handling Javan’s Superior Court Appeal yet never corrected that misimpression.

38. On December 7, 2021, Mr. Manley filed an Appellant Brief with the Superior Court on behalf of Javan.

39. On December 13, 2021, Mr. Manley entered his appearance in Javan's Superior Court Appeal docketed at 1175 MDA 2021.

40. On December 15, 2021, Respondent had the following text message exchange with Amanda:

a. Amanda: Good afternoon Mr. Clark. I haven't heard back from you and am reaching out to see what the status of our case is. He may be getting moved shortly and it appears this case is in the superior court, still with a with a public defender. Please provide us with an update. Thank you.

b. Respondent: I'm sorry – I thought that I sent you text today. I realize that I didn't send. All is good – can I call you tomorrow around 11:00

c. Amanda: Tomorrow around 11 is fine, thank you.

41. On January 7, 2022, Amanda texted Respondent:

"Hello, just checking for updates after the New Year as you mentioned."

42. Respondent received Amanda's January 7, 2022 text message but did not respond.

43. On February 2, 2022, Respondent had the following exchange with Rhonda:

a. Respondent: Good morning – the DA assigned to the case and I are meeting tomorrow at 1:00. Are you and your sister around tomorrow around 4:00. [sic] I'll be back in my car by then.

b. Respondent: If so, I'll call and you can conference me in – thx

c. Rhonda: Hello. Yes we are available tomorrow at 4pm. Thank you.

d. Respondent: Great – talk to you then

44. Respondent's February 2, 2022 text message to Rhonda claiming that he had a meeting scheduled with the "DA assigned" in Javan's criminal matter was materially false and misleading, in that Respondent never had a meeting scheduled on February 3, 2022, with anyone from the Berks County District Attorney's Office.

45. Throughout Respondent's representation of Javan, Respondent continuously made multiple knowing and intentional misrepresentations and misleading statements to Javan, Rhonda and or Amanda that he was working on getting Javan released on parole and that in fact, Javan's release date was imminent.

46. By way of illustration, but not exhaustively, Respondent made the following materially false and misleading representations to Javan, Rhonda and/or Amanda that:

a. a hearing was scheduled in *Commonwealth v. Outterbridge* on March 16, 2022;

b. a hearing was scheduled in *Commonwealth v. Outterbridge* on April 8, 2022;

c. a hearing was scheduled in *Commonwealth v. Outterbridge* on April 22, 2022;

- d. a hearing was scheduled in *Commonwealth v. Outterbridge* on May 5, 2022;
- e. Javan was going to be transferred to a different facility; and
- f. Javan was eligible for parole.

47. Respondent knew or should have known that Javan would only become eligible for parole once he:

- a. served the minimum term of five years' incarceration;
- b. participated in programs as ordered by the court; and
- c. agreed to comply with any special conditions imposed by parole for therapy or counseling for sex offenders.

48. On June 8, 2022, Respondent texted Amanda:

"Good Day

Went very well today.

Of course, the prison didn't bring Javon [sic] to video room. We waited 15 min but **judge agreed to proceed in his absence and signed all the orders.** [emphasis added]

Paperwork at Harrisburg DOC. He is going to be transferred back to Berks in 2 weeks- meet his probation officer and then released."

49. Respondent's June 8, 2022 text message was false and/or misleading and Respondent knew it to be false and misleading because:

- a. Respondent did not attend a hearing with respect to Javan on June 8, 2022;

b. A judge did not “sign” any order in connection with Javan’s criminal matter on June 8, 2022; and

c. Javan was not scheduled to be transferred to another facility.

50. On June 23, 2022, Respondent texted Amanda:

“Just received notice that Javon [sic] scheduled for transfer on 7/11.”

51. Respondent’s representation that he had received notice that Javan was scheduled for transfer on 7/11 was false and Respondent knew it to be false because Javan had not been scheduled for transfer.

52. On July 13, 2022, Respondent had the following text message exchange with Amanda:

a. Respondent: Can I do our call at 1:30. [sic] Dept. of corrections [sic] calling me regarding Javon [sic] transfer at 1:00

b. Amanda: Yes

c. Amanda: Did the DOC call and will you still us [sic] today?

d. Respondent: Working on it right now. I’ll call you as soon as done [sic]

e. Amanda: Alright

53. Respondent’s July 13, 2022 text message to Amanda, that Respondent was working with the Department of Corrections regarding Javan’s transfer was false and misleading and Respondent knew it to be

false and misleading because at no time was Respondent working with the Department of Corrections regarding Javan's transfer.

54. On July 27, 2022, the Superior Court affirmed the Trial Court's May 26, 2021 judgment of sentence, which included the lifetime SORNA requirement.

55. On August 9, 2022, Rhonda texted Respondent:

"Hello. Javan was not moved yesterday. What is happening now?"

56. On August 10, 2022, Respondent exchanged the following text message with Rhonda:

- a. Respondent: Javon [sic] did not complete his home plan. They are emailing paperwork now. Let me review and complete for him. I'll call you in AM – this will be a minor delay – I know how to complete.
- b. Rhonda: Alright. Thank you for the update.

57. Respondent's August 10, 2022 text message to Rhonda was false and misleading and Respondent knew it to be false and misleading because:

- a. There was no home plan for Javan to complete because he was not eligible for parole; and
- b. Respondent was never sent paperwork via email regarding a home plan.

58. On September 8, 2022, the Superior Court remitted Javan's criminal matter to the trial court.

59. On September 16, 2022, Respondent had the following text message exchange with Rhonda:

- a. Rhonda: Good Morning. We didn't receive a call from the parole officer nor did anyone show up to my Dad's yesterday.
- b. Respondent: I literally was just about to ask how it went. I'll get back to you shortly
Scheduled for Wednesday at 6:00. [emphasis in original]
I'm going to meet parole at your father's house
Is that day and time okay?

60. On September 21, 2022, Respondent texted:

- a. Below [sic] is a cut and paste from State Parole

Attorney Clark

The request for a home visit inadvertently listed your office address in West Chester, Chester County. Therefore, the home visit was assigned to the wrong parole officer.

We know have the correct address now as 4038 Gideon rd [sic] Brookhaven Pa. [sic] 19015.

We have reassigned the matter to the parole officer whom [sic] covers Delaware County [sic] His name is Peter Tobin and I am included [sic] him in this email.

The home visit is rescheduled for **Tuesday, 9/27 at 6:00PM**. [emphasis in original] If your [sic] or the family are unavailable, please let me know. I apologize for the inconvenience.

Further, we authorized your clients transfer to Berks county prior to formal approval of the home plan. Please contact sgt. [sic] Thomas DOC to determine exact date.

Best Regards, Michael R

b. Respondent: Is that date OK?

I did check with DOC, they are providing me exact date of transfer – it will probably be late next week

61. Respondent's September 21, 2022 text message was false and misleading and Respondent knew it to be false and misleading because:

- a. Respondent had never received any correspondence from a Michael R. of State Parole;
- b. There was no home visit scheduled in connection with Javan's parole; and
- c. Javan's transfer to Berks County had never been authorized.

62. On September 29, 2022, Respondent had the following text message exchange with Rhonda:

- a. Rhonda: Hello. My family and I are all at my father's house waiting. Are you guys still coming out today?
- b. Respondent: The PO is meeting me at my office in Delaware county – I didn't realize how late he was. I'm texting him now

63. On September 29, 2022:

- a. Rhonda called Respondent's cell phone two times;
- b. Neither Respondent nor a parole officer showed up at Javan's father's home; and

- c. Respondent advised Rhonda and Amanda in a phone call that he had canceled the purported home visit.

64. By way of example, but not exhaustively, from September 2022 through November 2022, Respondent continuously made material knowing misrepresentations to Javan, Rhonda and/or Amanda that:

- a. Javan was eligible for parole;
- b. Respondent was working with Parole to get an exact date of Javan's release;
- c. paperwork for Javan's parole would be processed with his counselor at the prison; and
- d. Respondent would provide updates for the work Respondent was doing on the Javan's case.

65. On November 17, 2022, Respondent and Amanda had the following text message exchange:

- a. Amanda: Hello, are we still expecting a call from you today?
- b. Respondent: Hi – I asked for the date in writing with the parole order. have [sic] not received yet [sic] – I reached out to clerk [sic] and I was informed that they were working on it. I was waiting until I had it in hand to call. I would have thought it was done today but can't be later than tomorrow. The sgt. [sic] comes in early and answers his own phone until secretary [sic] gets in at 9:00. I'll call him first thing and make sure they get to me tomorrow. He usually puts a fire under staff
- c. Amanda: Alright thanks.

66. On November 18, 2022, Respondent had the following text message exchange with Rhonda:

- a. Respondent: Just received email that the parole packet will be in my easily [sic] by 10:00 am on Monday – I'll call you right after
We are getting close
- b. Rhonda: Thank you for the update.

67. Respondent's November 17 and 18, 2022, text messages to Amanda and Rhonda were false and misleading and Respondent knew them to be false and misleading because:

- a. Javan was not eligible for parole in 2022;
- b. Respondent had not completed, submitted or received any paperwork regarding a release date for Javan;
- c. Respondent never received a "parole order" from the court clerk regarding Javan;
- d. There never was a release date being processed for Javan; and
- e. Respondent never communicated with a sergeant regarding parole paperwork for Javan.

68. On December 2, 2022, Respondent and Amanda had the following text message conversation:

- a. Respondent: We had video [sic] hearing amongst attys on Monday regarding credit. **Judge ruled in our favor – puts his parole date at 1/11** [sic] Can I call on Monday – I am doing a hearing right not (i [sic] thought would be continued) and then going directly into zoning hearing [emphasis added]

- b. Amanda: Alright. Looking forward to hearing from you then.
Thank you

69. Respondent's December 2, 2022 text message to Amanda was false and misleading and Respondent knew it to be false and misleading because:

- a. Respondent never had a "hearing amongst [attorneys]" on November 28, 2022 "regarding credit";
- b. The judge never ruled in Javan's favor at a November 28, 2022 hearing; and
- c. A parole date for Javan was never set for January 11, 2023.

70. On December 20, 2022, Respondent had the following text message conversation with Amanda:

- a. Respondent: Can we arrange a conference call tomorrow at 10:30? ***Everything is going well for the release in January*** [emphasis added]
- b. Amanda: Yes
- c. Respondent: ["Liked" Amanda's response]

71. Respondent's assertions in his December 20, 2022, text message to Amanda that Javan had a parole release date scheduled for January 2023 was false and misleading and Respondent knew them to be false and misleading.

72. By way of example, but not exhaustively, in January 2023, Respondent made material knowing misrepresentations to Javan, Rhonda and/or Amanda that:

- a. Respondent was working with the DOC to secure a date for Javan's parole;
- b. Respondent was working in conjunction with a parole officer and were setting up a conference call with Rhonda and Amanda on January 10, 2023;
- c. Javan had a "tentative" release date of February 17, 2023; and
- d. In a text message to Rhonda that on January 23, 2023, "the attys [had] a call set up with judge and dept if [sic] corrections."

73. On February 8, 2023, Respondent had the following text message exchange with Rhonda:

- a. Respondent: Just wrapping up one more matter with state police regarding reporting requirements- we will have that done by 10am tomorrow and then I'll call you guys to explain release process.
- b. Rhonda: Thank you for the update.

74. Respondent's February 8, 2023, text message to Rhonda was false and misleading and Respondent knew it to be false and misleading because Respondent was not working with the state police regarding Javan's parole or reporting requirements.

75. On February 9, 2023, Respondent had the following text message exchange with Rhonda:

- a. Respondent: Chief (state police) has paperwork now. He is reviewing today (I went over everything with him so it looks good). I'm picking up in media [sic] tomorrow and then quick zoom with DOC after I docket paperwork with Berks [sic] That

should wrap up by 12:00 (Berks is allowing me to fax and send originals) We're still on track for next week although 16th is realistic I'll finish this up today call you after I'm done tomorrow and then taking [sic] to Javons [sic] counselor on Monday I just want to wrap up. Most complicate [sic] case I had from legal perspective in a while

- b. Rhonda: Paperwork at Berks county? Javan is currently at SCI Rockview
- c. Respondent: Has to be docketed at committing county (Berks)
- d. Rhonda: Oh alright. Got you
- e. Respondent: ["Liked"] Rhonda's prior text message

76. Respondent's February 9, 2023, text message to Rhonda was false and misleading because Respondent:

- a. never gave paperwork to the State Police Chief regarding Javan's parole;
- b. continued to mislead Javan's family about a release date for his parole; and
- c. did not file, via fax or mail, any paperwork on behalf of Javan with the Berks County Court Clerk.

77. On March 1, 2023, Rhonda texted Respondent:

"Hello, Hope all is well. We've been trying to reach you the past few weeks and are wondering if you received our messages. We are looking for an update on Javan's case and trying to determine what we should do next. Thank you"

78. Respondent received Rhonda's March 1, 2023 text message but failed to respond.

79. On March 6, 2023, Amanda texted Respondent:

“Good morning, A few weeks ago you mentioned that Javan’s case was closing/settled and we were just wondering if there were any updates in regard to him being released. Thank you.”

80. Respondent received Amanda’s March 6, 2023 text message but failed to respond.

81. Respondent’s representation to Javan’s family that Javan’s case was “closing/settled” was false and misleading and Respondent knew it to be false and misleading because:

- a. Respondent was not involved in representing Javan in his criminal matter, appeal or parole;
- b. Javan’s matter was not closed/settled in or around 2023; and
- c. there had not been any activity on the docket in *Com. v. Otterbridge* since September 9, 2022, when the Superior Court affirmed the Trial Court’s judgement of sentence.

82. On March 22, 2023, Respondent had the following text message exchange with Rhonda:

- a. Respondent: Just talk to chambers [sic]— court order will be in my office tomorrow at 1:00. I’ll need about 1/2 [sic] to read and then I’ll call you to give you time line [sic]
- b. Rhonda: Okay

83. Respondent’s representation to Rhonda that Respondent had “just [talked] to chambers” was false and misleading and Respondent knew

it to be false and misleading because Respondent never communicated with Judge Parisi or his staff relating to Javan's criminal matter.

84. On March 23, 2023, Respondent had the following text message exchange with Rhonda:

- a. Respondent: Read order – looks good – faced [sic] certified copy to SCI Rockview – they are going to contact me tomorrow with discharge information. I asked for them to try and contact me before 12:00. As soon as I have that info – I'll call and pass on to you
- b. Rhonda: Alright

85. Respondent's March 23, 2023 text message to Rhonda was false and misleading and Respondent knew it to be false and misleading because:

- a. The court did not issue any such order in March 2023 relating to Javan's parole; and
- b. Respondent did not fax a copy of an order to SCI Rockview.

86. On March 27, 2023, Respondent texted Rhonda:

"GM

I received this email this AM (cut in paste in relevant part)
Re: Javan S Outterbridge QN1840

Good Morning Attorney Clark

We need to reschedule the video conference call from today until tomorrow (3/28) at 9:45. Sgt. Silow is out of office today and it is his department that handles the re-sentenced parole cases.

A new link will be emailed to you later today. Please confirm your availability via email.”

Silow is the guy that schedules the parole so that’s good that they rescheduled. I’ll call you after the call tomorrow
Dave

87. On March 28 and 29, 2023 Respondent sent Rhonda text messages that stated, *inter alia*:

- a. The “zoom call went well” and that Mr. Silow would be calling Respondent “after calculations [were] complete[d];” and
- b. Respondent was “working out 1 last issue regarding the parole date. But everything [was] done and this is just procedural...”

88. Respondent’s March 27, 28, 29, 2023 text messages to Rhonda were false and misleading and Respondent knew them to be false and misleading because Respondent never:

- a. received an email from a “Dave”, nor had discussions with a “Dave”, in connection with Javan’s criminal matter;
- b. had a zoom call scheduled with a Sergeant Silow or anyone at the DOC regarding Javan’s parole; and
- c. conducted a zoom call regarding Javan’s parole on March 28, 2023.

89. On or about May 24, 2023, Respondent sent Rhonda and/or Amanda a screenshot from Respondent’s laptop which purported to be a letter from the chambers of a judge or court administration.

90. The May 24, 2023 letter Respondent sent to Rhonda and Amanda stated:

"Attorney Clark,

Pursuant to our conversation today. [sic] On Monday, 5/22, We [sic] received notice from court admin. With [sic] an accompanying letter from Doctor Michale Lewis from the Chester County Cardiac unit indicating that you were hospitalized and would not be back to work before 5/30. Therefore, we did not request a transport and cancelled the hearing. I understand that you contacted court administration personally on Tuesday 5/23 and were not informed of the change because the docket had not yet to [sic] reflect cancellation.

However, in an effort to expedite your client's release, the judge is preparing parole documents that reflects your Habeas motion. You can pick the order up from chambers and deliver to SCI Rockview on 5/31 with raised seal [sic]

Chambers spoke with SCI Rockview and they can execute the order on 6/6.

The Judge and his staff wish you a speedy recovery.

Sincerely,
MFK"

91. The May 24, 2023 letter Respondent provided to Rhonda and Amanda was a fabrication and written by Respondent.

92. Respondent never contacted Judge Parisi or his chambers in May 2023 regarding Javan's criminal matter.

93. A hearing was neither scheduled nor cancelled in Javan's matter in May 2023.

94. Respondent never filed a habeas corpus petition on behalf of Javan.

95. Respondent fabricated the May 24, 2023 letter and intentionally misrepresented that Judge Parisi's chambers were in communication with SCI Rockview regarding Javan's release for parole.

96. By way of example, but not exhaustively, Respondent repeatedly made the following knowing misrepresentations to Javan, Rhonda and/or Amanda that Javan would be released on parole:

- a. on 5/24/22;
- b. on 8/11/22;
- c. on 1/11/23;
- d. on 2/16/23;
- e. on 4/14/23;
- f. on 4/18/23; and
- g. on 6/6/23.

97. By way of example, but not exhaustively, Respondent made the following knowing misrepresentations via text messages to Javan, Rhonda and/or Amanda:

- a. On March 24, 2023, that SCI Rockview was reviewing a purported "parole order," revised sentencing sheet and calculating credit for Javan;

- b. On March 28, 2023 that Respondent had conducted a Zoom meeting with SCI Rockview in regard to Javan's parole;
- c. On July 12, 2023, that Respondent had made several calls to ADA McCallum and had spoken to a deputy and were waiting on "orders;" and
- d. On August 12, 2023, that Respondent's law partner, Michael, would be assisting Respondent with hearing scheduled for September 14, 2023 in *Commonwealth v. Outterbridge*.

98. On February 21, 2024, Rhonda texted Respondent:

"Good afternoon. You have previously informed us that you would be contacting us with an update. Its been about two months now since we have heard from you. Javan would like to know were [sic] we are in the process and if you could provide official documentation that anything has every [sic] taken place. There has never been in [sic] update to his docket since 2022."

99. Respondent received Rhonda's February 21, 2024 text message but did not respond.

100. On March 15, 2024, Respondent had the following text message exchange with Amanda:

- a. Amanda: I thought Javan's case was settled a long time ago so why isn't anything happening? In the meantime can you send over all documentation you have concerning his case? This seems like a scam.
- b. Respondent: We will absolutely go over everything with you and his release date on Wednesday via the zoom. I apologize for delay [sic] Certainly not a scam. I won the trial fir [sic] the info [sic] who's referred you.

- c. Respondent: Actually- let's do meeting after work – we'll come to your dads [sic] house. We won't cancel. 5:30 ok on Wednesday in person at dads [sic] house
- d. Amanda: When the time comes if it's not going to happen please let us know in advance so we won't meet there and waste time as we've done in the past. Thank you.
- e. Respondent: I get it. 5:30 – I have address [sic]

101. Respondent did not meet with Rhonda and Amanda at their father's home on Wednesday March 20, 2024.

102. Respondent failed to provide Amanda with any documentation as she requested in her March 15, 2024 text message.

103. Subsequent to March 15, 2024, Respondent ceased all communication with Javan, Rhonda and Amanda.

104. On May 3, 2024, Rhonda sent Respondent a text message which included a request for a refund.

105. Respondent received Rhonda's May 3, 2024 text message but failed to respond.

106. Rhonda and Amanda sent a letter to Respondent via US Mail dated June 28, 2024, which stated:

"Dear Mr. Clark,

It has been several weeks since we have heard from you. Please advise us of the status of your representation in the case of Javan Outterbridge [Docket #CP-06-CR-0004813-2019].

Please respond in writing within 10 days of receiving this.

Thank you.

Best,

Amanda and Rhonda Outterbridge”

107. Respondent received Rhonda and Amanda’s June 28, 2024 letter but failed to respond to Rhonda or Amanda.

108. Respondent failed to provide Javan, Rhonda or Amanda with any documentation to support Respondent’s contention that he was working on Javan’s criminal matter.

109. Respondent failed to enter Respondent’s appearance on behalf of Javan in CP-06-CR-0004813-2019 or 1175 MDA 2021.

110. Respondent failed to provide competent and diligent representation with respect to Javan’s criminal matter.

111. Respondent’s fee was clearly excessive because Respondent performed no legitimate services for Javan.

112. From on or about August 2021 through at least March 2024
Respondent:

- a. repeatedly misrepresented the services Respondent was providing on Javan’s behalf; and
- b. failed to fulfill the legal services delineated in Respondent’s August 10, 2021 Engagement Letter.

113. By his conduct as alleged in Paragraphs 4 through 112 above, Respondent violated the following Rules of Professional Conduct:

- A. RPC 1.1, which states that a lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation;
- B. RPC 1.2(a), which states that subject to paragraphs (c) and (d), a lawyer shall abide by a client's decisions concerning the objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued. A lawyer may take such action on behalf of the client as is impliedly authorized to carry out the representation. A lawyer shall abide by a client's decision whether to settle a matter. In a criminal case, the lawyer shall abide by the client's decision, after consultation with the lawyer, as to a plea to be entered, whether to waive jury trial and whether the client will testify;
- C. RPC 1.3, which states that a lawyer shall act with reasonable diligence and promptness in representing a client;

- D. RPC 1.4(a)(2), which states that a lawyer shall reasonably consult with the client about the means by which the client's objectives are to be accomplished;
- E. RPC 1.4(a)(3), which states that a lawyer shall keep the client reasonably informed about the status of the matter;
- F. RPC 1.4(a)(4), which states that a lawyer shall promptly comply with reasonable requests for information;
- G. RPC 1.4(b), which states that a lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation;
- H. RPC 1.5(a), which states that a lawyer shall not enter into an agreement for, charge, or collect an illegal or clearly excessive fee. The factors to be considered in determining the propriety of a fee include the following: (1) whether the fee is fixed or contingent; (2) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly; (3) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer; (4) the fee customarily charged in the locality for similar legal services; (5)

the amount involved and the results obtained; (6) the time limitations imposed by the client or by the circumstances; (7) the nature and length of the professional relationship with the client; and (8) the experience, reputation, and ability of the lawyer or lawyers performing the services;

- I. RPC 4.1(a), which states that in the course of representing a client a lawyer shall not knowingly make a false statement of material fact or law to a third person; and
- J. RPC 8.4(c), which states that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

WHEREFORE, Petitioner prays that your Honorable Board appoint, pursuant to Rule 205, Pa.R.D.E., a Hearing Committee to hear testimony and receive evidence in support of the foregoing charges and upon completion of said hearing to make such findings of fact, conclusions of law, and recommendations for disciplinary action as it may deem appropriate.

Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

THOMAS J. FARRELL,
Chief Disciplinary Counsel

BY:

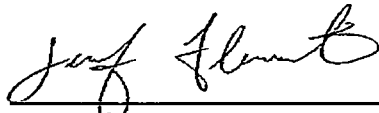


Jennifer Flemister
Disciplinary Counsel
Attorney Registration No. 326103
Office of Disciplinary Counsel
820 Adams Avenue Suite 170
Trooper, PA 19403

VERIFICATION

The statements contained in the foregoing Petition for Discipline are true and correct to the best of my knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

November 13, 2025
Date

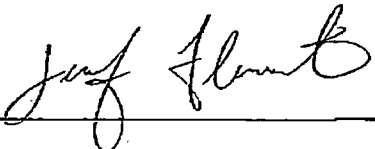


Jennifer Flemister
Disciplinary Counsel

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: Jennifer Flemister

Attorney No. (if applicable): 326103