

SUPREME COURT OF LOUISIANA

NO. 2019-OB-1119

IN RE: APPEAL OF DECISION OF THE  
DISCIPLINARY BOARD NO. 19-PDB-018

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ORDER

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On the showing made, we are unable to determine whether the disciplinary board acted arbitrarily, capriciously or unreasonably in approving the dismissal of the complaint against respondent. Supreme Court Rule XIX, § 30(C). However, given the allegations made by the complainants, we believe the disciplinary board erred in not directing that the matter be investigated further pursuant to Supreme Court Rule XIX, § 30(A). Accordingly, this matter is remanded to the Office of Disciplinary Counsel to conduct further investigation pursuant to Supreme Court Rule XIX, § 11(B). The issue of prescription is not relevant at this stage as the ODC should accept the allegations of the complaint as true; however, the issue may be raised by respondent as a defense if and when formal charges are filed. *See In re: Stanford*, 10-1547 (La. 12/17/10), 50 So. 3d 151.

NEW ORLEANS, LOUISIANA, this \_\_\_\_\_ day of \_\_\_\_\_,  
2019.

FOR THE COURT:

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JUSTICE, SUPREME COURT OF LOUISIANA

Johnson, C.J., and Chehardy, J. *pro tempore*, recused.