

**SUPREME COURT OF LOUISIANA**

**No. 2017-B-2108**

**IN RE: JAMES CASEY FOS**

**ATTORNEY DISCIPLINARY PROCEEDING**

**CRICHTON, J., would reject consent discipline, order disbarment, and assigns reasons:**

I would reject the petition for consent discipline, as I find respondent's serious misconduct warrants disbarment. More specifically, this case involves a substantial aggravating factor in that there has been zero restitution during the three-year time span between the misconduct and the instant petition for consent discipline. *See generally Louisiana State Bar Ass'n v. Hinrichs*, 486 So. 2d 116 (La. 1986).