

In the Indiana Supreme Court

In the Matter of: Robert Cheesebrough,
Respondent

Supreme Court Case No.
18S-DI-37



Published Order Approving Statement of Circumstances and Conditional Agreement for Discipline

Pursuant to Indiana Admission and Discipline Rule 23(12.1)(b), the Indiana Supreme Court Disciplinary Commission and Respondent have submitted for approval a “Statement of Circumstances and Conditional Agreement for Discipline” stipulating agreed facts and proposed discipline as summarized below.

Stipulated Facts: “Client” hired Respondent to file a Chapter 7 bankruptcy petition for a flat fee of \$650. Respondent failed to attend a mandatory meeting of creditors. The debt under Client’s petition was discharged in May 2016. However, two digits of Client’s social security number were transposed on the bankruptcy petition, and Respondent failed to address this problem prior to the court’s closing of the estate.

Client then paid Respondent \$200 to initiate a filing to avoid liens on Client’s home and rental property. Respondent filed such a motion regarding “Bank,” which did not object; however, Respondent then failed to submit an order to the bankruptcy court granting the unopposed motion. Respondent also failed to file a motion to avoid judicial lien against Client’s other creditors.

In October 2016, the bankruptcy court ordered that the estate had been fully administered. Client attempted to contact Respondent for an update, but Respondent failed to respond.

Client ended up hiring new counsel to fix Respondent’s mistakes. Client also filed a grievance against Respondent, who was untimely in his responses to the Commission.

Violations: The parties agree that Respondent violated these Indiana Professional Conduct Rules prohibiting the following misconduct:

- 1.3: Failure to act with reasonable diligence and promptness.
- 1.4(a)(3): Failure to keep a client reasonably informed about the status of a matter.
- 8.1(b): Failure to respond in a timely manner to the Commission’s demands for information.

Discipline: The parties propose the appropriate discipline is a public reprimand. The Court, having considered the submissions of the parties, now approves the agreed discipline and imposes a **public reprimand** for Respondent’s misconduct.

The costs of this proceeding are assessed against Respondent. With the acceptance of this agreement, the hearing officer appointed in this case is discharged.

Done at Indianapolis, Indiana, on 7/26/2018.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.