

SUPREME COURT, STATE OF COLORADO

ORIGINAL PROCEEDING IN DISCIPLINE BEFORE THE
PRESIDING DISCIPLINARY JUDGE

1300 Broadway, Suite 250
Denver, Colorado 80203

Complainant:

THE PEOPLE OF THE STATE OF COLORADO

Respondent:

ROBERT J CORRY JR., # 32705

Jacob M. Vos, #41562

Assistant Regulation Counsel

Attorneys for Complainant

1300 Broadway, Suite 500

Denver, Colorado 80203

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Robert J Corry Jr., # 32705

Respondent

600 - 17th Street Penthouse Suite 2800 South Tower

Denver, CO 80202

Telephone: 303-634-2244

Rob Corry <rob@robcorry.com>

▲ COURT USE ONLY ▲

Case Number: 20PDJ039

**STIPULATION, AGREEMENT AND AFFIDAVIT CONTAINING THE
RESPONDENT'S CONDITIONAL ADMISSION OF MISCONDUCT**

On this 3rd day of November, 2020, Jacob M. Vos, Assistant Regulation Counsel and attorney for the complainant, and Robert J Corry Jr., the Respondent in these proceedings, enter into the following Stipulation, Agreement, and Affidavit Containing Respondent's Conditional Admission of Misconduct ("Stipulation") and submit the same to the Presiding Disciplinary Judge for his consideration.

RECOMMENDATION: a served one-year-and-one-day suspension.

1. The Respondent has taken and subscribed to the oath of admission, was admitted to the bar of this Court on May 14, 2001, and is registered as an attorney upon the official records of this Court, registration no. 32705. Respondent is subject to the jurisdiction of this Court and the Presiding Disciplinary Judge in these proceedings.

2. Respondent enters into this Stipulation freely and voluntarily. No promises have been made concerning future consideration, punishment, or lenience in the above-referenced

matter. It is Respondent's personal decision, and Respondent affirms there has been no coercion or other intimidating acts by any person or agency concerning this matter.

3. The portion of this matter relating to the Complaint in Case No. 20PDJ039 has become public under the operation of C.R.C.P. 251.31(c) as amended. However, this Stipulation also involves elements not contained in the 20PDJ039 Complaint. With respect to those new elements, Respondent specifically acknowledges that, if the Presiding Disciplinary Judge should decide to accept this Stipulation, and impose the agreed-to discipline contained herein, then this Stipulation and the discipline imposed will be matters of public record.

4. Respondent is familiar with the rules of the Colorado Supreme Court regarding the procedure for discipline of attorneys and with the rights provided by those rules. Respondent acknowledges the right to a full and complete evidentiary hearing on the above-referenced complaint. At any such hearing, Respondent would have the right to be represented by counsel, present evidence, call witnesses, and cross-examine the witnesses presented by Complainant. At any such formal hearing, Complainant would have the burden of proof and would be required to prove the charges contained in the complaint with clear and convincing evidence. Nonetheless, having full knowledge of the right to such a formal hearing, Respondent waives that right.

5. Respondent and Complainant specifically waive the right to a hearing pursuant to C.R.C.P. 251.22(c)(1).

6. Respondent has read and studied the Complaint in this matter, Case No. 20PDJ039, a true and correct copy of which is attached as Exhibit 1, and is familiar with the allegations therein. Respondent affirms under oath that allegations and conclusions in the Complaint are true and correct.

7. Additionally, on September 25, 2020, Respondent plead guilty to one count of criminal mischief as an act of domestic violence and one count of violation of a protection order as an act of domestic violence. The elements of those crimes are as follows:

Criminal Mischief:

(1) A person commits criminal mischief when he or she knowingly damages the real or personal property of one or more other persons, including property owned by the person jointly with another person or property owned by the person in which another person has a possessory or proprietary interest, in the course of a single criminal episode.

Criminal mischief is: (c) A class 1 misdemeanor when the aggregate damage to the real or personal property is seven hundred fifty dollars or more but less than one thousand dollars.

Violation of a Protection Order:

(1) A person commits the crime of violation of a protection order if, after the person has been personally served with a protection order that identifies the person as a restrained person or otherwise has acquired from the court or law enforcement personnel actual knowledge of the contents of a protection order that identifies the person as a restrained

person, the person:

(a) Contacts, harasses, injures, intimidates, molests, threatens, or touches the protected person or protected property, including an animal, identified in the protection order or enters or remains on premises or comes within a specified distance of the protected person, protected property, including an animal, or premises or violates any other provision of the protection order to protect the protected person from imminent danger to life or health, and such conduct is prohibited by the protection order.

8. The criminal mischief conviction arose out of an event where Respondent drove his then-girlfriend's vehicle recklessly, damaging it. The factual basis for the violation of a protection order conviction is that while a no-contact order was in place between Respondent and his girlfriend they got married. Respondent was sentenced to 30 months of probation, with conditions of domestic violence education, a mental health evaluation and treatment per probation's recommendations, and a substance use evaluation and treatment per probation's recommendations.

9. Through Respondent's conduct described above, Respondent has engaged in conduct constituting grounds for the imposition of discipline pursuant to C.R.C.P. 251.5. Respondent has also violated Colo. RPC 1.9(a) (duties to former clients); 1.15A(a) (technical conversion); 1.15D(a)(1)(A) (required financial records); 1.5(a) (unreasonable fees); 1.4(a)(4) (requests for information); 1.4(b) (communication); 1.16(d) (duties upon termination of representation); 1.7(a)(2) (concurrent conflicts of interest); 1.8(i) (proprietary interests in litigation); 1.16(a) (failure to terminate representation); 8.4(d) (conduct prejudicial to the administration of justice); 8.4(b) (criminal conduct); and 3.4(c) (violation of a court order).

10. Pursuant to C.R.C.P. 251.32, Respondent agrees to pay costs in the amount of \$257.00 (a copy of the statement of costs is attached as Exhibit 2) incurred in conjunction with this matter within thirty-five (35) days after acceptance of the Stipulation by the Presiding Disciplinary Judge, made payable to Colorado Supreme Court Attorney Regulation Offices. Respondent agrees that statutory interest shall accrue from thirty-five (35) days after the Presiding Disciplinary Judge accepts this Stipulation. Should Respondent fail to make payment of the aforementioned costs and interest within thirty-five (35) days, Respondent specifically agrees to be responsible for all additional costs and expenses, such as reasonable attorney fees and costs of collection incurred by Complainant in collecting the above stated amount. Complainant may amend the amount of the judgment for the additional costs and expenses by providing a motion and bill of costs to the Presiding Disciplinary Judge, which identifies this paragraph of the Stipulation and Respondent's default on the payment.

11. This Stipulation represents a settlement and compromise of the specific claims and defenses pled by the parties, and it shall have no meaning or effect in any other lawyer regulation case involving another respondent attorney.

12. This Stipulation is premised and conditioned upon acceptance of the same by the Presiding Disciplinary Judge. If for any reason the Stipulation is not accepted without changes or modification, then the admissions, confessions, and Stipulations made by Respondent will be of no effect. Either party will have the opportunity to accept or reject any modification. If either

party rejects the modification, then the parties shall be entitled to a full evidentiary hearing; and no confession, Stipulation, or other statement made by Respondent in conjunction with this offer to accept discipline of a year-and-a-day suspension may be subsequently used. If the Stipulation is rejected, then the matter will be heard and considered pursuant to C.R.C.P. 251.18.

13. The Office of Attorney Regulation Counsel has notified or will notify shortly after the parties sign this agreement, the complaining witnesses in the matters of the proposed disposition.

PRIOR DISCIPLINE

14. On September 28, 2007, the Presiding Disciplinary Judge approved a Conditional Admission of Misconduct and suspended Respondent from the practice of law for a period of one year and one day, all stayed upon the successful completion of a three-year period of probation with conditions, effective September 28, 2007. See Ex. 3. On November 13, 2006, Respondent pled guilty to third degree assault, a Class 1 misdemeanor, in violation of C.R.S. §18-3-204. He then successfully completed all of the conditions of his one-year deferred judgment and the case was dismissed in May 2007. His misconduct constituted grounds for the imposition of discipline pursuant to C.R.C.P. 251.5 and violated Colo. RPC 8.4(b).

ANALYSIS OF DISCIPLINE

15. Pursuant to American Bar Association *Standards for Imposing Lawyer Sanctions* 1991 and Supp. 1992 (“ABA Standards”), §3.0, the Court should consider the following factors generally:

a. The duty violated: the duty to comply with court orders. The duty to comply with the law. The duty of loyalty to clients. The duty to avoid conflicts of interest. The duty to communicate with clients. The duty to maintain financial records. The duty to safeguard client property.

b. The lawyer’s mental state: knowing with respect to Respondent’s criminal conduct; his violation of court orders; and his failure to maintain financial records. Negligent with respect to the remaining duties at issue.

c. The actual or potential injury caused by the lawyer’s misconduct: Respondent’s misconduct caused actual injury to his ex-wife and children by delaying child support payments and by not making other payments as ordered by the court. His criminal conduct caused actual harm to the profession through his disregard for court orders and the rule of law. His conflicts unnecessarily consumed court resources to the detriment of his clients. His recordkeeping failures rendered it difficult to ascertain whether he safeguarded client funds. And his failure to safeguard client funds placed client funds at risk.

d. The existence of aggravating or mitigating factors:

Aggravating factors pursuant to ABA *Standards* § 9.22 include:

(a) prior disciplinary offenses;

- (b) dishonest or selfish motive, with respect to the child support and family support;
- (c) a pattern of misconduct with respect to Respondent's recordkeeping issues;
- (d) multiple offenses;
- (h) vulnerability of victim with respect to child support;
- (i) substantial experience in the practice of law; and
- (j) indifference to making restitution.

Mitigating factors pursuant to ABA *Standards* § 9.32 include:

- (c) personal or emotional problems;
- (e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings;
- (k) imposition of other penalties or sanctions;
- (l) remorse; and
- (m) remoteness of prior offenses.

16. A variety of ABA *Standards* apply, including the following:

§ 5.12: Suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements listed in Standard 5.11 and that seriously adversely reflects on the lawyer's fitness to practice.

§ 6.22 Suspension is generally appropriate when a lawyer knows that he or she is violating a court order or rule, and causes injury or potential injury to a client or a party, or causes interference or potential interference with a legal proceeding.

§ 4.12: Suspension is generally appropriate when a lawyer knows or should know that he is dealing improperly with client property and causes injury or potential injury to a client.

17. Colorado cases support a suspension here. *See In re Green*, 982 P.2d 838, 839 (Colo. 1999) (year-and-a-day for failure to pay child support, with opportunity for early reinstatement); *People v. Tucker*, 837 P.2d 1225, 1226 (Colo. 1992) (six-month suspension for failure to pay child support). Overall, "courts often impose suspension on lawyers who knowingly fail to comply with a divorce decree ordering payment of spousal maintenance or child support." *ABA Annotated Standards for Imposing Lawyer Sanctions* (2015) at pp. 318-19 (collecting cases).

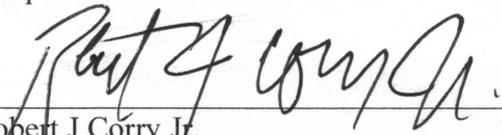
18. *In re Fischer*, 89 P.3d 817 (Colo. 2004), is also analogous. Fischer technically converted client funds and, in doing so, violated a court order. *Fischer* warranted a year-and-a-day suspension in light of significant mitigating evidence. *See also People v. Varallo*, 913 P.2d 1, 11 (Colo. 1996) (technical conversion warrants a served suspension; collecting cases); *People v. Knight*, 883 P.2d 1055 (Colo. 1994) (six-month suspension for third-degree assault conviction); *People v. Hill*, 439 P.3d 1244, 1256 (Colo. O.P.D.J. 2019) (collecting cases involving suspensions for domestic violence); *People v. Barnthouse*, 775 P.2d 545, 550 (Colo. 1989) (year-and-a-day for violations of court orders, among other things).

19. Considering all of the factors described above, as applied to this case, a served year-and-a-day suspension is appropriate.

RECOMMENDATION FOR AND CONSENT TO DISCIPLINE

Based on the foregoing, the parties hereto recommend that a served year-and-a-day suspension be imposed upon Respondent. Respondent consents to the imposition of discipline of a served year-and-a-day suspension. The parties request that the Presiding Disciplinary Judge order that the effective date of such discipline be thirty-five (35) days after the date of entry of the order.

Robert J Corry Jr., Respondent and Jacob M. Vos, attorney for the Complainant, acknowledge by signing this document that they have read and reviewed the above and request the Presiding Disciplinary Judge to accept the Stipulation as set forth above.



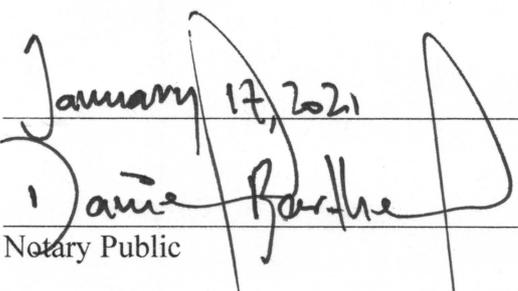
Robert J Corry Jr.
600 17th Street
Penthouse Suite 2800 South Tower
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Telephone: 303-634-2244
Respondent

STATE OF COLORADO)
)ss:
COUNTY OF Arapahoe

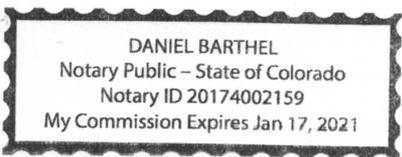
Subscribed and sworn to before me this 3rd day of November, 2020, by
Robert J. Corry Jr., the Respondent.

Witness my hand and official seal.

My commission expires:

January 17, 2021


Notary Public





Jacob M. Vos, #41562
Assistant Regulation Counsel
1300 Broadway, Suite 500
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Telephone: (303) 928-7811
Attorney for the Complainant

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Complainant:
THE PEOPLE OF THE STATE OF COLORADO

Respondent:
ROBERT J CORRY JR., # 32705

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▲ COURT USE ONLY ▲

Case Number: 20PDJ039

COMPLAINT

THIS COMPLAINT is filed pursuant to the authority of C.R.C.P. 251.9 through 251.14, and the People allege as follows:

Jurisdiction

1. Respondent has taken and subscribed the oath of admission, was admitted to the bar of this Court on May 14, 2001, and is registered upon the official records of this Court, registration no. 32705. He is subject to the jurisdiction of this Court in these disciplinary proceedings. Respondent's registered business address is 600 17th Street, Penthouse Suite 2800 South Tower, Denver, CO 80202.

General Allegations

I. The Licata Matter

2. At all times relevant here, Mr. Corry operated Corry & Associates, a law firm primarily specializing in the field of marijuana law.

Licata District Court Case

3. On February 19, 2015, Civil Action No. 15-359 was filed in the United States District Court for the District of Colorado styled as follows: *Safe Streets Alliance, Phillis Windy Hope Reilly, and Michael P. Reilly, Plaintiffs, v. Alternative Holistic Healing, LLC, d/b/a Rocky Mountain Organic; Joseph R. Licata; Jason M. Licata; 6480 Pickney, LLC; Parker Walton; Camp Feel Good, LLC; Roger Guzman; Blackhawk Development Corporation; Washington International Insurance Co.; David L. Patch; Patch Construction, LLC; John Doe 1; John W. Hickenlooper, Jr., in his official capacity as Governor of Colorado; Barbara J. Brohl, in her official capacity as Executive Director of the Colorado Department of Revenue; W. Lewis Koskl, in his office capacity as Director of the Colorado Marijuana Enforcement Division; Pueblo County Commission; and Pueblo County Liquor & Marijuana Licensing Board, Defendants.*

4. Plaintiff Safe Streets was a membership organization whose members are interested in law enforcement issues, particularly the enforcement of federal laws prohibiting the cultivation, distribution, and possession of marijuana.

5. The Reillys were members of Safe Streets and owners of 105 acres of land adjacent to the recreational marijuana grow located at 6480 Pickney Road, Rye, Colorado.

6. Defendant Alternative Holistic Healing, LLC, d/b/a Rocky Mountain Organic was a Colorado limited liability company operating a recreational cultivation facility and retail shop with plans to operate an additional facility at 6480 Pickney Road.

7. Defendant Joseph Licata was a 50% owner of Alternative Holistic Healing.

8. Mr. Licata's son, Jason M. Licata, was the other 50% owner of Alternative Holistic Healing.

9. Defendant Parker Walton was the sole member, manager and owner of 6480 Pickney, LLC.

10. Walton was also the owner of Camp Feel Good, who leases land from 6480 Pickney, LLC.

11. The Complaint generally alleged that the Reillys were injured by a conspiracy to cultivate recreational marijuana near their land and they filed the Complaint to vindicate federal laws prohibiting the cultivation and sale of recreational marijuana pursuant to their rights under the Racketeer Influenced and Corrupt Organizations Act ("RICO").

Retention and Billing

12. On February 27, 2015¹, Mr. Licata executed an "Engagement Letter – U.S. District Court Case" with Mr. Corry. The agreement provided as follows, in pertinent part:

¹ The agreement was mis-dated to 2014.

The legal services provided will be on a fixed fee basis, charged as follows: For this United States District Court litigation² this firm requires a fixed flat retainer of \$13,750.00. A down payment of \$5,000 shall be due upon retaining the firm.

The flat rate is to be allocated as follows: 33% for opening a file and initial intake of case, preliminary discussions and interviews with client, initial legal advice to client on recommended actions, check on potential conflicts of interests, formal written entry of appearance filed in court; 34% for responding to complaint, for review and analysis of initial discovery, evaluation of claims and possible defenses, discussions with client, preparation for and appearance at any court appearance, designing and implementing a litigation plan, 33% for negotiations and discussions with the opposing counsel, and investigation, analysis, and follow up of leads and defenses revealed in discovery and provided by client, evaluation and preparation for motions or trial hearings, evaluation of any settlement offers and provision of recommendation to client, continued communication and negotiation with opposing counsel if necessary, and preparation for and representation of client at trial, if applicable.

In this instance, the firm does not bill by the hour, and will not provide the client with an hourly billing statement of specific actions performed on behalf of the client. After considering all potential options for fee arrangements and weighing advantages and disadvantages of each, client has opted to proceed on an engagement flat fee basis, believing that there are advantages to a flat fee structure in terms of predictability of costs and empowering the attorney to focus on results rather than time.

13. Mr. Buck, an attorney at Mr. Corry's office, presented a conflict waiver to Mr. Licata as well.

14. Mr. Licata reviewed the waiver but did not understand it or how representation of all parties might impact the representation.

15. Mr. Licata was accompanied by personal counsel when he reviewed the waiver.

16. The waiver provided, in relevant part, that Jason Licata, Alternative Holistic Healing, Parker Walton, Camp Feel Good, and 6480 Pickney have asked the firm to represent them as co-defendants, and the firm believes no actual conflict of interest exists among the co-defendants.

² Nothing else in the fee agreement further specified the scope of the representation.

17. It also provided that “there is the potential for a conflict to arise as to each party’s right to present evidence and each party’s right to be represented by this Firm. Clients are able to freely and voluntarily waive this conflict and hereby do so..... clients have each agreed to waive any conflict of interest arising out of this Firm’s representation of both parties in the matter.”

18. As part of the waiver, the clients also waived confidentiality as to the other co-defendants the Firm represented.

19. Finally, the waiver advised the parties to consult with independent counsel when considering the waiver.

20. Mr. Licata paid the firm the entirety of the \$13,750 flat fee.

21. Though the firm may have initially held the flat fee in its “COLTAF” account, Respondent did not maintain records associating the transfers from his “COLTAF” account to his operating account with any specific client/matter numbers, elements of completed work, or benchmarks.

22. Additionally, no transfers during the relevant time period corresponded to the benchmarks set out in the fee agreement.

23. For example, the agreement provided for a first benchmark of 33% of \$13,750, or \$4,537.50. Though there are a number of transfers from the “COLTAF” account to Respondent’s operating account the month he believes he earned the first benchmark, none of the transfers are for \$4,537.50.

24. Additionally, what Respondent identified to OARC as the firm’s “COLTAF” account was not, in actuality, a COLTAF account. It was not registered with the Colorado Lawyer’s Trust Account Foundation.

25. The account he believed to be his firm’s COLTAF account, which is identified as a Business Checking Account in account statements, was not a COLTAF or IOLTA account.

26. The account was not set up to require the reporting of overdrafts to the Office of Attorney Regulation Counsel.

27. However, the account was titled “COLTAF” on Respondent’s Wells Fargo Online banking portal, and is also titled “COLTAF Account” on the physical checks used by the firm.

28. On March 3, 2015, Mr. Buck entered his appearance in the case on behalf of Defendants Joseph Licata and Alternative Holistic Healing.

29. Though Mr. Licata’s fee agreement was with Mr. Corry, Mr. Buck was Mr. Licata’s main point of contact throughout the case.

30. Two days later, Mr. Buck entered his appearance in the case on behalf of Defendants 6480 Pickney, Camp Feel Good, LLC and Jason Licata.

31. Mr. Buck ultimately filed a successful Motion to Dismiss on behalf of the defendants.

The Appeal

32. On June 27, 2016, the Plaintiffs appealed to the United States Court of Appeals for the Tenth Circuit (Case No. 16-1048).

33. Mr. Buck briefed the appeal.

34. On June 7, 2017, the Tenth Circuit reversed and remanded on the property injury claims asserted against the marijuana growers as well as the RICO claims, with limitations.

35. The Mandate issued on June 29, 2017.

Termination

36. On July 19, 2017, Mr. Buck filed a “Motion to Vacate and Reset Scheduling Conference” and a “Motion of Withdrawal” on behalf of Defendants Joseph Licata, Jason Licata, and Alternative Holistic Healing, LLC.

37. The motions stated those Defendants were in the process of procuring substitute counsel.

38. Mr. Buck terminated the attorney-client relationship with those clients on the firm’s behalf.

39. Mr. Buck and Respondent’s firm continued to represent Parker Walton and his corporations.

40. Mr. Buck withdrew from representing the Licatas and others pursuant to the joint defense agreement because he believed an actual conflict existed in the wake of the remand because some defendants may want to present defenses antagonistic to the other defendants.

41. Generally, the issue was that 6480 Pickney Road, LLC, owned by Mr. Walton, owned the land at 6480 Pickney Road in Rye, a 40-acre parcel where the marijuana was actually produced and distributed.

42. Through that company, Mr. Walton leased the land to Camp Feel Good, another company he controlled.

43. Camp Feel Good then leased the land to Alternative Holistic Healing, a business based in Black Hawk owned by the Licatas.

44. Alternative Holistic Healing was to sell the marijuana at its store in Black Hawk.

45. The plaintiffs were landowners adjacent to the grow operation in Rye.

46. The plaintiffs alleged the defendants all conspired to grow marijuana in Rye to be sold in Blackhawk, with the individual defendants having various different roles in the conspiracy.

47. The alleged injury to the plaintiffs included obstructed views, declining property values and noxious odors.

48. Upon remand and reinstatement of the case, it was fairly likely that the defendants would try to shift blame for any injury to each other, giving rise to the conflict.

49. After Mr. Buck and the firm withdrew from representing the Licatas, they continued to represent Mr. Walton and his entities.

50. Mr. Buck then left the firm in November 2017, bringing the clients with him.

Claim 1

Colo. RPC 1.9(a) (Duties to Former Clients)

51. Colorado RPC 1.9(b)(2) provides that “A lawyer shall not knowingly represent a person in the same or a substantially related matter in which that person’s interests are materially adverse to the interests of the former client unless the former client gives informed consent, confirmed in writing.”

52. After the Tenth Circuit reversed, Respondent and his firm continued to represent the Walton defendants even though their defenses would likely be adverse to the Licatas, and the firm had acquired material information about the Licatas when representing them.

53. Respondent did not obtain the Licatas’ informed consent to continue in his firm’s representation of the Waltons and their entities.

54. Therefore, Respondent violated Colo. RPC 1.9(a).

Claim 2

Colo. RPC 1.15A(a) (Safeguarding Fees)

55. Colorado RPC 1.15A(a) provides that “A lawyer shall hold property of clients or third persons that is in the lawyer's possession in connection with a representation separate from the lawyer's own property. Funds shall be kept in trust accounts maintained in compliance with Rule 1.15B. Other property shall be appropriately safeguarded. Complete records of such funds and other property of clients or third parties shall be kept by the lawyer in compliance with Rule 1.15D.”

56. Respondent failed to retain his unearned funds paid to his firm by Mr. Licata in a trust account.

57. Respondent therefore violated Colo. RPC 1.15A(a).

Claim 3
Colo. RPC 1.15D(a)(1)(A) (Required Financial Records)

58. Colorado RPC 1.15D(a)(1)(A) provides:

(a) A lawyer shall maintain, or shall cause the lawyer's law firm to maintain, in a current status and shall retain or cause the lawyer's law firm to retain for a period of seven years after the event that they record:

(1) An appropriate record-keeping system identifying each separate person for whom the lawyer or the law firm holds funds or other property and adequately showing the following:

(A) For each trust account the date and amount of each deposit; the name and address of each payor of the funds deposited; the name and address of each person for whom the funds are held and the amount held for the person; a description of the reason for each deposit; the date and amount of each charge against the trust account and a description of the charge; the date and amount of each disbursement; and the name and address of each person to whom the disbursement is made and the amount disbursed to the person.

59. Respondent failed to maintain financial records describing the reason for each deposit into or transfer from his “trust” account (in reality, a business checking account) to his operating account.

60. Respondent therefore violated Colo. RPC 1.15D(a)(1)(A).

II. The Rice Matter

April 2014 Contact

61. Mr. Rice owned and operated a Colorado Springs marijuana dispensary called Canna Meds Wellness.

62. Mr. Rice, on behalf of Canna Meds, first hired Respondent’s law firm in February of 2014 to generally handle regulatory issues on Canna Meds’ behalf.³

63. Respondent presented Mr. Rice with a “Legal Services Retainer,” which promised advice regarding compliance with marijuana laws and regulations for a flat fee of \$15,000. It acknowledged receipt of a \$3,000 down-payment, and provided for monthly payments of \$1,000 during the one-year agreement.

64. The agreement included benchmarks (with 50% earned at intake), but Mr. Rice and Canna Meds only made the initial \$3,000 payment, and did not make any additional payments on the agreement.

³ The legal sale of marijuana for recreational purposes began in Colorado in January 2014

65. The \$3,000 was deposited into what Respondent believed was his “COLTAF” account on April 18, 2014.

66. As discussed above, what Respondent believed was a COLTAF account was not, in actuality, a COLTAF account.

67. As in the *Licata* matter, Respondent did not maintain accounting records tracing any specific transfers from his “COLTAF” account to his operating account to any specific clients or matter numbers.

68. Respondent’s firm completed consulting work on Canna Meds’ behalf in 2014.

69. Neither Canna Meds nor Mr. Rice made any additional payments beyond the initial \$3,000.

Claim 4
Colo. RPC 1.15A(a) (Safeguarding Fees)

70. Colorado RPC 1.15A(a) provides that “A lawyer shall hold property of clients or third persons that is in the lawyer's possession in connection with a representation separate from the lawyer's own property. Funds shall be kept in trust accounts maintained in compliance with Rule 1.15B. Other property shall be appropriately safeguarded. Complete records of such funds and other property of clients or third parties shall be kept by the lawyer in compliance with Rule 1.15D.”

71. Respondent failed to retain his unearned funds paid to his firm by Mr. Rice in a trust account.

72. Respondent failed to track when he met the benchmarks in the fee agreement, and failed to transfer funds in accordance with those benchmarks.

73. Respondent therefore violated Colo. RPC 1.15A(a).

Claim 5
Colo. RPC 1.15D(a)(1)(A) (Required Financial Records)

74. Colorado RPC 1.15D(a)(1)(A) provides:

(a) A lawyer shall maintain, or shall cause the lawyer's law firm to maintain, in a current status and shall retain or cause the lawyer's law firm to retain for a period of seven years after the event that they record:

(1) An appropriate record-keeping system identifying each separate person for whom the lawyer or the law firm holds funds or other property and adequately showing the following:

(A) For each trust account the date and amount of each deposit; the name and address of each payor of the funds deposited; the name and address of each person for whom the funds are held and the amount held for the person; a description of the reason for each deposit; the

date and amount of each charge against the trust account and a description of the charge; the date and amount of each disbursement; and the name and address of each person to whom the disbursement is made and the amount disbursed to the person.

75. Respondent failed to maintain financial records describing the reason for each deposit or transfer from his “trust” account (in reality, a business checking account) to his operating account.

76. Respondent therefore violated Colo. RPC 1.15D(a)(1)(A).

III. The Thomas Matter

77. In 2017, Mr. Thomas’ stepson, William Baxter, decided to start a marijuana business in Fort Collins.

78. Mr. Thomas agreed to fund the project.

79. Mr. Thomas and Mr. Baxter retained Respondent’s firm to assist them with the licensing issues.

80. At the time, Respondent structured most of his licensing matters as annual flat fees.

81. Neither Respondent nor the clients can produce a signed fee agreement for the matter.

82. Respondent believes he used the form fee agreement that he customarily used at the time.

83. The agreement provides for a flat fee, with two 50% benchmarks that effectively allow for the entirety of the fee to be earned as soon as the firm completes any substantive work.

84. On September 27, 2017, Mr. Thomas wired \$20,000 to Respondent’s “COLTAF” account. Respondent’s “COLTAF” account was actually a business savings account, not a COLTAF or IOLTA account.

85. Two days after the Thomas \$20,000 wire arrived, on September 29, 2017, Respondent transferred \$10,000 from his “COLTAF” account to his business checking account.

86. Respondent transferred another \$10,000 to the same account on October 10, 2017.

87. At the time, Respondent did not keep any records attributing transfers to or from his “COLTAF” account to specific clients or matters.

88. Mr. Buck, who was an associate at the firm at the time, was the only point of contact for both Mr. Thomas and Mr. Baxter.

89. Mr. Buck completed a significant amount of work on the Thomas/Baxter matter in the fall of 2017.

90. Mr. Buck left Respondent's firm later that fall.

91. Mr. Buck did not retain Mr. Thomas or Mr. Baxter as clients after his departure from Respondent's firm.

92. Though Mr. Buck was paid a salary during his time at Respondent's firm, he did not retain any of Mr. Thomas' funds upon his departure from the firm.

93. Respondent did not retain a file for the Thomas/Baxter matter beyond a few pieces of correspondence between Mr. Buck and the clients.

94. Mr. Thomas and Mr. Baxter repeatedly attempted to contact Respondent regarding their matter after Mr. Buck's departure from Respondent's firm.

95. Respondent failed to substantively respond to Mr. Thomas and Mr. Baxter's attempts to contact him.

96. Respondent failed to complete any substantive work on the Thomas/Baxter matter after Mr. Buck left the firm.

Claim 6

Colo. RPC 1.5(a) (Unreasonable Fees)

97. Colo. RPC 1.5(a) provides that "A lawyer shall not make an agreement for, charge, or collect an unreasonable fee."

98. Respondent's flat fee benchmarks were unreasonable because they allowed Respondent's firm to earn the entirety of a \$20,000 fee with the completion of the first substantive work on the case, "..., without regard for any of the other factors relevant to the determining the reasonableness of the fee, including the time and labor required in performing the first substantive work.

99. Respondent therefore violated Colo. RPC 1.5(a).

Claim 7

Colo. RPC 1.15A(a) (Safeguarding Property)

100. Colo. RPC 1.15A(a) provides that "A lawyer shall hold property of clients or third persons that is in the lawyer's possession in connection with a representation separate from the lawyer's own property. Funds shall be kept in trust accounts maintained in compliance with Rule 1.15B. Other property shall be appropriately safeguarded. Complete records of such funds and other property of clients or third parties shall be kept by the lawyer in compliance with Rule 1.15D."

101. Respondent failed to retain his unearned funds paid to him by Mr. Thomas in a trust account.

102. Respondent therefore violated Colo. RPC 1.15A(a).

Claim 8

Colo. RPC 1.4(a)(4) (Requests for Information)

103. Colo. RPC 1.4(a)(4) provides that a lawyer shall “promptly comply with reasonable requests for information.”

104. Respondent failed to comply with his clients’ reasonable requests for information after Mr. Buck left the firm.

105. Respondent therefore violated Colo. RPC 1.4(a)(4).

Claim 9

Colo. RPC 1.4(b) (Communication)

106. Colo. RPC 1.4(b) provides that “A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.”

107. Respondent failed to reasonably communicate with his clients after Mr. Buck left the firm.

108. Respondent therefore violated Colo. RPC 1.4(b).

Claim 10

Colo. RPC 1.15D(a)(1)(A) (Required Financial Records)

109. Colo. RPC 1.15D(a)(1)(A) provides:

(a) A lawyer shall maintain, or shall cause the lawyer's law firm to maintain, in a current status and shall retain or cause the lawyer's law firm to retain for a period of seven years after the event that they record:

(1) An appropriate record-keeping system identifying each separate person for whom the lawyer or the law firm holds funds or other property and adequately showing the following:

(A) For each trust account the date and amount of each deposit; the name and address of each payor of the funds deposited; the name and address of each person for whom the funds are held and the amount held for the person; a description of the reason for each deposit; the date and amount of each charge against the trust account and a description of the charge; the date and amount of each disbursement; and the name and address of each person to whom the disbursement is made and the amount disbursed to the person.

110. Respondent failed to maintain financial records describing the reason for each deposit or transfer from his “trust” account (in reality, a business checking account) to his operating account.

111. Respondent therefore violated Colo. RPC 1.15D(a)(1)(A).

Claim 11
Colo. RPC 1.16(d) (Termination of Representation)

112. In the event Respondent intended to terminate his representation of Mr. Thomas and Mr. Baxter, he failed to comply with Colo. RPC 1.16(d), which provides that “Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred.”

113. Respondent failed to return any of the file to his clients after Mr. Buck left the firm.

114. Respondent failed to take any action to protect his clients’ interests after Mr. Buck left the firm.

115. Respondent therefore violated Colo. RPC 1.16(d).

IV. The Shelkovich Matter

116. Respondent married Maria Shelkovich (who is now Ms. Maria Corry) in approximately August 2019.

117. Ms. Shelkovich is the alleged victim in a kidnapping case currently pending against Respondent.

118. Ms. Shelkovich and her ex-husband, Dimitriy Shelkovich, had three children.

119. As of December 2019, the children were ages 20 (emancipated), 15, and 11.

120. The domestic relations court presiding over the Shelkovichs’ divorce entered a Decree of Dissolution of Marriage on July 2, 2014.

121. The Court incorporated their parenting plan in the same Decree.

122. On November 8, 2019, the Arapahoe County Department of Human Services intervened in the dissolution matter with a Motion to Set Hearing to Determine Status of Children and/or Modify Child Support and Abate Child Support Order.

123. The Motion moved the court to set a hearing to determine the status of the two younger children, who it alleged were residing full-time with Mr. Shelkovich.

124. Mr. Shelkovich contemporaneously filed a Verified Motion to Modify Parenting Time, which discussed Ms. Shelkovich's relationship with Respondent and argued their home environment endangered the children's physical health and emotional development.

125. Specifically, Mr. Shelkovich argued that the children felt unsafe in Respondent's home, and noted that Respondent's parenting time of his other children has been restricted as a result of allegations of substance abuse and neglect.

126. Mr. Shelkovich's Motion also detailed Respondent's pending criminal charges.

127. At the time, Respondent had already entered an appearance as Ms. Shelkovich's counsel in the domestic relations matter.

128. The same day he moved for a modification of parenting time, Mr. Shelkovich moved to disqualify Respondent as counsel.

129. In the disqualification motion, Mr. Shelkovich argued the following grounds for disqualification:

- a. Rule 1.8(i), which provides that a lawyer shall not acquire a proprietary interest in a cause of action or subject matter of litigation. Mr. Shelkovich argued Respondent had a financial stake in the outcome because the standing order provided Ms. Shelkovich child support from her ex-husband.
 - b. Rule 3.2, which provides that a lawyer shall make reasonable efforts to expedite litigation consistent with the client's interests. Mr. Shelkovich argued that Respondent may have an interest to drag out the proceedings.
 - c. Rule 3.7, which provides that a lawyer shall not act as an advocate at a trial in which the lawyer is likely to be a necessary witness, with certain exceptions. Mr. Shelkovich argued that Respondent was a likely witness since the Parenting Time motion focused on Ms. Shelkovich's home life with Respondent.
130. Ms. Shelkovich, objected through counsel (Respondent) to the Motion to Disqualify.
131. The court granted the Motion to Disqualify on January 11, 2020.

Claim 12
Colo. RPC 1.7(a)(2) (Concurrent Conflict of Interest)

132. Colo. RPC 1.7(a)(2) provides that "Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if ... there is a significant risk that the representation of one or more clients will be materially limited... by a personal interest of the lawyer."

133. Respondent's representation of Ms. Shelkovich was limited by his own personal, emotional, and financial interests.

134. Respondent therefore violated Colo. RPC 1.7(a)(2).

Claim 13

Colo. RPC 1.8(i) (Proprietary Interest)

135. Colo. RPC 1.8(i) provides that “A lawyer shall not acquire a proprietary interest in the cause of action or subject matter of litigation the lawyer is conducting for a client.”

136. Respondent represented his wife in her domestic relations matter while he had a financial stake in the litigation: the support his wife was getting from her ex-husband, which served to support Respondent and his wife’s household.

137. Respondent therefore violated Colo. RPC 1.8(i).

Claim 14

Colo. RPC 1.16(a) (Failure to Terminate Representation)

138. Colo. RPC 1.16(a) provides that “except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if (1) the representation will result in violation of the Rules of Professional Conduct or other law.”

139. Respondent’s continued representation would have violated Colo. RPC 3.7.

140. Colo. RPC 3.7 provides that “A lawyer shall not act as advocate at a trial in which the lawyer is likely to be a necessary witness unless:

- (1) the testimony relates to an uncontested issue;
- (2) the testimony relates to the nature and value of legal services rendered in the case; or
- (3) disqualification of the lawyer would work substantial hardship on the client.

141. Respondent was likely to be a necessary witness at the upcoming hearing on the motions in Ms. Shelkovich’s domestic relations matter because Mr. Shelkovich’s Motion centered on the home life his children experienced at Respondent’s house.

142. None of the exceptions found in Rule 3.7 applied.

143. Respondent’s failure to withdraw from the matter therefore violated Colo. RPC 1.16(a), because his continued representation would have resulted in a violation of the Rules of Professional Conduct.

V. The Peck Matter

144. Respondent (also, “Father”) was formerly married to Jessica Peck (“Mother”).

145. They had two children together.

146. On October 28, 2011, the domestic relations court approved their Stipulated Separation Agreement.

147. The Agreement required the following:

- a. Father must maintain health insurance policies on behalf of the parties' two minor children.
- b. Father is liable for 60% and Mother is liable for 40% of costs for the children's camps, educational activities, and recreational pursuits.

148. The same day, the court issued a minute order compelling Father to pay child support the first day of each month; \$2,000 per month for child support and \$1,000 per month for maintenance.

149. On October 23, 2018, *nunc pro tunc* October 15, 2018, the court ordered Father to submit to tests via Soberlink three times per day, which were to report test results to Mother.

150. The same order gave Father 21 days to provide a life insurance policy to Mother.

151. It also required him to carry [health] insurance through Kaiser Permanente.

152. On December 8, 2019, Mother, through counsel, filed a Forthwith Motion and Affidavit for Contempt of Court Citation Against Father, alleging that he violated all of the orders summarized above.

153. Specifically, her Motion alleged the following:

- a. Father cancelled the children's health insurance policy in July 2019, after the court issued a Temporary Protective Order banning his contact with the children.
- b. Father never obtained a life insurance policy for the children's benefit, as ordered.
- c. Father failed to pay the \$2,000 per month child support obligation from August 1, 2019, through the date of the Motion's filing.
- d. Father failed to test for abstinence from alcohol via Soberlink and was charged with a DUI on September 30, 2019.
- e. Father owes \$10,155 for one child's private school tuition. When combined with other money he owes for extra-curricular activities, he owes \$22,522, plus interest, plus child support.

154. The Motion also alleged that Father had between \$350,000 and \$450,000 in real estate equity, though Mother admitted she did not know about Father's cash assets or liquidity.

155. In total, the Motion requested an award of \$34,522 plus interest.

156. The domestic relations court issued an Order and Citation to Show Cause and set the matter for a hearing.

157. On March 12, 2020, the parties filed a stipulation to resolve the outstanding issues, which the court approved March 16.

158. The Stipulation provided as follows (paraphrased from the stipulation):

- c. Father shall test via Soberlink thrice per day, and Mother shall receive the test results.
- d. Father may petition the court for contact with the children after he can establish sobriety via Soberlink for one year.
- e. With six months of sobriety confirmed via Soberlink, Father may communicate with the children via letters.
- f. Father shall reestablish health insurance policies for the children and shall be responsible for premiums.
- g. No later than March 11, 2020⁴, Father shall pay Mother a total of \$40,111.79, including the following amounts:
 - i. \$16,000 past due child support
 - ii. \$24,111.79 in past due reimbursements for school tuition and extracurricular expenses.
- h. In consideration of those payments, Mother will waive attorney's fees and interest.
- i. Moving forward, Mother will be responsible for school tuition, and Father will bear costs for extracurricular activities 60/40 with Mother.
- j. Father shall continue to abide by the relevant protective orders.

159. Respondent paid the initial \$16,000 payment (the child support arrearage), but has failed to pay anything else.

Claim 15
Colo. RPC 3.4(c) (Violation of a Court Order)

160. Colo. RPC 3.4(c) provides that a lawyer shall not “knowingly disobey an obligation under the rules of a tribunal except for an open refusal based on an assertion that no valid obligation exists.”

⁴ This date is accurate – before the stipulation was filed.

161. Respondent knowingly disobeyed orders of the domestic relations court in the following ways:

- a. He cancelled the children's health insurance policy in July 2019.
- b. He never obtained a life insurance policy for the children's benefit, as ordered.
- c. He failed to pay the \$2,000 per month child support obligation from August 1, 2019, through the date of the Motion's filing.
- d. He failed to test for abstinence from alcohol via Soberlink as required and consumed alcohol.
- e. He failed to pay private school tuition as ordered.
- f. He failed to pay for tuition and extracurricular expenses as provided for by the Stipulation.

162. Respondent therefore violated Colo. RPC 3.4(c).

Claim 16

Colo. RPC 8.4(d) (Conduct Prejudicial to the Administration of Justice)

163. Colo. RPC 8.4(d), provides that it is professional misconduct for a lawyer to "engage in conduct that is prejudicial to the administration of justice."

164. An attorney's failure to comply with child support and other domestic relations orders is prejudicial to the administration of justice.

165. Additionally, Respondent's actions, including his failures to comply with court orders, necessitated additional court filings and proceedings.

166. Respondent therefore violated Colo. RPC 8.4(d).

WHEREFORE, the People pray that Respondent be found to have engaged in misconduct under C.R.C.P. 251.5 and the Colorado Rules of Professional Conduct as specified above; he be appropriately disciplined for such misconduct; he be required to take any other remedial action appropriate under the circumstances; and he be assessed the costs of this proceeding.

DATED this 19th day of June, 2020.

Respectfully submitted,



Jacob M. Vos, #41562
Assistant Regulation Counsel
Jessica E. Yates, #38003
Attorney Regulation Counsel
Attorneys for Complainant

Statement of Costs

**Robert J Corry
20PDJ039 & 19-1917**

4/17/2020	Wells Fargo, Document Production	\$	33.00
10/28/2020	Administrative Fee	\$	224.00
			<hr/>
	AMOUNT DUE	\$	257.00

EXHIBIT 2

<p style="text-align: center;">SUPREME COURT, STATE OF COLORADO</p> <p style="text-align: center;">ORIGINAL PROCEEDING IN DISCIPLINE BEFORE THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE 1560 BROADWAY, SUITE 675 DENVER, CO 80202</p>	<p>RECEIVED</p> <p>OCT 03 2007</p> <p>ATTORNEY REGULATION</p>
<p>Complainant: THE PEOPLE OF THE STATE OF COLORADO,</p> <p>Respondent: ROBERT J. CORRY, JR.</p>	<p>Case Number: 07PDJ058</p>
<p>AMENDED ORDER APPROVING CONDITIONAL ADMISSION OF MISCONDUCT AND IMPOSING SANCTIONS PURSUANT TO C.R.C.P. 251.22</p>	

This matter is before the Presiding Disciplinary Judge ("the Court") on a "Stipulation, Agreement and Affidavit Containing the Respondent's Conditional Admission of Misconduct" ("Stipulation") filed by Charles E. Mortimer, Jr., Office of Attorney Regulation Counsel ("the People"), and Larry S. Pozner on behalf of Robert J. Corry, Jr. ("Respondent") on September 18, 2007. In this Stipulation, the parties waive their right to a hearing under C.R.C.P. 251.22(c).

The Court, having reviewed the case file and the Stipulation, and being fully advised of the issues presented, **ORDERS** the following:

1. The Stipulation is accepted and approved.
2. **ROBERT J. CORRY, Attorney Registration No. 32705, is SUSPENDED from the practice of law for a period of ONE YEAR AND ONE DAY, ALL STAYED upon the successful completion of a three-year period of probation** subject to the following conditions:
 - A. **Mandatory Rule Condition.** During the period of probation, the Respondent shall not engage in any further violation of the Colorado Rules of Professional Conduct. See C.R.C.P. 251.7(b) ("The conditions [of probation]...shall include no further violations of the Colorado Rules of Professional Conduct").
 - B. Respondent shall attend and successfully pass the one-day ethics school sponsored by the People within one year of the date of this order. Respondent shall register and pay the costs of ethics school within thirty (30) days of the date of this order.

- C. Respondent shall abide by the psychiatric monitoring conditions and treatment requirements outlined in Exhibit 4 to the Stipulation.
- D. Respondent shall successfully perform all requirements of the sentence imposed in Case No. 05CR4142 in *The State of Colorado v. Robert J. Corry, Jr.*, in Jefferson County District Court.
- E. Respondent shall execute releases authorizing the People to communicate with his probation officer and CareNet to confirm his compliance with the conditions imposed herein within thirty days of the date of this order.
- F. Respondent shall be responsible for all costs of evaluation, treatment and supervision incurred as part of any condition of this probation. Failure to pay these costs prior to termination of probation shall constitute a violation of the probation.
- G. Violation of Conditions. If, during the period of probation, the People receive information that any condition may have been violated, the People may file a motion with the Court specifying the alleged violation and seeking an order that requires the attorney to show cause why the stay should not be lifted and the sanction activated for violation of the condition. See C.R.C.P. 251.7(e). The filing of such a motion shall toll any period of suspension and probation until final action. *Id.* Any hearing shall be held pursuant to C.R.C.P. 251.7(e). When, in a revocation hearing, the alleged violation of a condition is the Respondent's failure to pay restitution or costs, the evidence of the failure to pay shall constitute *prima facie* evidence of a violation. *Id.*
- H. Successful Completion of Conditions. Within thirty days and no less than fifteen days prior to the expiration of the period of probation, Respondent shall file an affidavit with the People stating that Respondent has complied with all terms of probation and shall file with the Court notice and a copy of such affidavit and application for an order showing successful completion of the period of probation. See C.R.C.P. 251.7(f). Upon receipt of this notice and absent objection from the People, the Court shall issue an order showing that the period of probation was successfully completed. *Id.* The order shall become effective upon the expiration of the period of probation. *Id.*

3. Pursuant to C.R.C.P. 251.32, Respondent shall pay costs incurred in conjunction with this matter in the amount of \$467.00 within thirty (30) days of the date of this order. Costs are payable to the Colorado Supreme Court Attorney Regulation Offices. Statutory interest shall accrue from the date of this order. Should Respondent fail to make payment of the aforementioned costs and interest within thirty (30) days, Respondent shall be responsible for all additional costs and expenses, including reasonable attorney fees, incurred by the People in collecting the above-stated amount. The People may amend the amount of the judgment for additional costs and expenses by providing a motion and bill of costs to the Court.

**THIS ORDER IS ENTERED THE 2ND DAY OF OCTOBER, 2007.
THE EFFECTIVE DATE OF THE PROBATION IS THE 28TH DAY
OF SEPTEMBER, 2007.¹**



William R. Lucero

WILLIAM R. LUCERO
PRESIDING DISCIPLINARY JUDGE

¹ The Court issued an "Order Approving Conditional Admission of Misconduct and Imposing Sanctions" on September 28, 2007. The order mistakenly stated an effective date for "suspension" instead of an effective date for "probation."

Counsel for Respondent

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United States Bankruptcy Court

Brad Bolton
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**United States Court of Appeals
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Byron White United States Courthouse
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Via First Class Mail

**United States District Court,
District of Colorado**

Alfred A. Arraj U.S. Courthouse
Sabrina Grimm
901 19th Street, Room A-105
Denver, CO 80294-3589

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SUPREME COURT, STATE OF COLORADO ORIGINAL PROCEEDING IN DISCIPLINE BEFORE THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE 1560 BROADWAY, SUITE 675 DENVER, CO 80202	
Complainant: THE PEOPLE OF THE STATE OF COLORADO, Respondent: ROBERT J. CORRY, JR.	Case Number: 07PDJ058
ORDER APPROVING CONDITIONAL ADMISSION OF MISCONDUCT AND IMPOSING SANCTIONS PURSUANT TO C.R.C.P. 251.22	

This matter is before the Presiding Disciplinary Judge ("the Court") on a "Stipulation, Agreement and Affidavit Containing the Respondent's Conditional Admission of Misconduct" ("Stipulation") filed by Charles E. Mortimer, Jr., Office of Attorney Regulation Counsel ("the People"), and Larry S. Pozner on behalf of Robert J. Corry, Jr. ("Respondent") on September 18, 2007. In this Stipulation, the parties waive their right to a hearing under C.R.C.P. 251.22(c).

The Court, having reviewed the case file and the Stipulation, and being fully advised of the issues presented, **ORDERS** the following:

1. The Stipulation is accepted and approved.
2. **ROBERT J. CORRY, Attorney Registration No. 32705, is SUSPENDED from the practice of law for a period of ONE YEAR AND ONE DAY, ALL STAYED upon the successful completion of a three-year period of probation** subject to the following conditions:
 - A. **Mandatory Rule Condition.** During the period of probation, the Respondent shall not engage in any further violation of the Colorado Rules of Professional Conduct. See C.R.C.P. 251.7(b) ("The conditions [of probation]...shall include no further violations of the Colorado Rules of Professional Conduct").
 - B. Respondent shall attend and successfully pass the one-day ethics school sponsored by the People within one year of the date of this order. Respondent shall register and pay the costs of ethics school within thirty (30) days of the date of this order.

- C. Respondent shall abide by the psychiatric monitoring conditions and treatment requirements outlined in Exhibit 4 to the Stipulation.
- D. Respondent shall successfully perform all requirements of the sentence imposed in Case No. 05CR4142 in *The State of Colorado v. Robert J. Corry, Jr.*, in Jefferson County District Court.
- E. Respondent shall execute releases authorizing the People to communicate with his probation officer and CareNet to confirm his compliance with the conditions imposed herein within thirty days of the date of this order.
- F. Respondent shall be responsible for all costs of evaluation, treatment and supervision incurred as part of any condition of this probation. Failure to pay these costs prior to termination of probation shall constitute a violation of the probation.
- G. Violation of Conditions. If, during the period of probation, the People receive information that any condition may have been violated, the People may file a motion with the Court specifying the alleged violation and seeking an order that requires the attorney to show cause why the stay should not be lifted and the sanction activated for violation of the condition. See C.R.C.P. 251.7(e). The filing of such a motion shall toll any period of suspension and probation until final action. *Id.* Any hearing shall be held pursuant to C.R.C.P. 251.7(e). When, in a revocation hearing, the alleged violation of a condition is the Respondent's failure to pay restitution or costs, the evidence of the failure to pay shall constitute *prima facie* evidence of a violation. *Id.*
- H. Successful Completion of Conditions. Within thirty days and no less than fifteen days prior to the expiration of the period of probation, Respondent shall file an affidavit with the People stating that Respondent has complied with all terms of probation and shall file with the Court notice and a copy of such affidavit and application for an order showing successful completion of the period of probation. See C.R.C.P. 251.7(f). Upon receipt of this notice and absent objection from the People, the Court shall issue an order showing that the period of probation was successfully completed. *Id.* The order shall become effective upon the expiration of the period of probation. *Id.*

3. Pursuant to C.R.C.P. 251.32, Respondent shall pay costs incurred in conjunction with this matter in the amount of \$467.00 within thirty (30) days of the date of this order. Costs are payable to the Colorado Supreme Court Attorney Regulation Offices. Statutory interest shall accrue from the date of this order. Should Respondent fail to make payment of the aforementioned costs and interest within thirty (30) days, Respondent shall be responsible for all additional costs and expenses, including reasonable attorney fees, incurred by the People in collecting the above-stated amount. The People may amend the amount of the judgment for additional costs and expenses by providing a motion and bill of costs to the Court.

THIS ORDER IS ENTERED THE 28TH DAY OF SEPTEMBER, 2007. THE EFFECTIVE DATE OF THE SUSPENSION IS THE 28TH DAY OF SEPTEMBER, 2007.




WILLIAM R. LUCERO
PRESIDING DISCIPLINARY JUDGE

Counsel for Respondent

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**United States Court of Appeals
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**United States District Court,
District of Colorado**

Alfred A. Arraj U.S. Courthouse
Sabrina Grimm
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Denver, CO 80294-3589

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SUPREME COURT, STATE OF COLORADO

ORIGINAL PROCEEDING IN DISCIPLINE
BEFORE THE PRESIDING DISCIPLINARY JUDGE
1560 Broadway, Suite 675
Denver, Colorado 80202

Complainant:
THE PEOPLE OF THE STATE OF COLORADO

Respondent:
ROBERT J. CORRY, JR.

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Fax No.: (303) 893-6110

FILED

SEP 18 2007

PRESIDING DISCIPLINARY JUDGE
SUPREME COURT OF COLORADO

▲ COURT USE ONLY ▲

Case Number:

07PDJ 058

COPY

**STIPULATION, AGREEMENT AND AFFIDAVIT CONTAINING THE
RESPONDENT'S CONDITIONAL ADMISSION OF MISCONDUCT**

On this 17 day of September, 2007, Charles E. Mortimer, Jr., Assistant Regulation Counsel and attorney for the complainant, and Robert J. Corry, Jr., the respondent who is represented by attorney Larry S. Pozner in these proceedings, enter into the following stipulation, agreement, and affidavit containing the respondent's conditional admission of misconduct ("stipulation") and submit the same to the Presiding Disciplinary Judge for his consideration.

RECOMMENDATION: Suspension of one year and one day, all stayed upon successful completion of a three year probation, with conditions.

1. The respondent has taken and subscribed the oath of admission, was admitted to the bar of this court on May 14, 2001, and is registered as an

attorney upon the official records of this court, registration no. 32705. The respondent is subject to the jurisdiction of this court and the Presiding Disciplinary Judge in these proceedings.

2. The respondent enters into this stipulation freely and voluntarily. No promises have been made concerning future consideration, punishment, or lenience in the above-referenced matter. It is the respondent's personal decision, and the respondent affirms there has been no coercion or other intimidating acts by any person or agency concerning this matter.

3. This matter has not become public under the operation of C.R.C.P. 251.31(c) as amended. However, the respondent specifically acknowledges that, if the Presiding Disciplinary Judge should decide to accept this stipulation, and impose the agreed-to discipline contained herein, then this stipulation and the discipline imposed will be matters of public record.

4. The respondent is familiar with the rules of the Colorado Supreme Court regarding the procedure for discipline of attorneys and with the rights provided by those rules. The respondent acknowledges the right to a full and complete evidentiary hearing on the above-referenced complaint. At any such hearing, the respondent would have the right to be represented by counsel, present evidence, call witnesses, and cross-examine the witnesses presented by the complainant. At any such formal hearing, the complainant would have the burden of proof and would be required to prove the charges contained in the complaint with clear and convincing evidence. Nonetheless, having full knowledge of the right to such a formal hearing, the respondent waives that right.

5. The respondent and the complainant specifically waive the right to a hearing pursuant to C.R.C.P. 251.22(c)(1).

6. The respondent and the complainant stipulate to the following facts and conclusions:

a. On November 23, 2005, Special Prosecutor Ted Tow, III issued a complaint and information charging the respondent with three criminal counts. A copy of the complaint and information is attached hereto as Exhibit 1. The case was docketed as Case No. 05CR4142, *People of the State of Colorado v. Robert John Corry*.

b. The matter proceeded through the court system. A preliminary hearing was held on January 26, 2006.

c. On November 13, 2006, the parties submitted a signed plea agreement which was accepted by the District Court. A copy of the plea agreement is attached hereto as Exhibit 2. Pursuant to Exhibit 2, respondent pled guilty to an added Count IV, assault in the third degree, C.R.S. §18-3-204, a misdemeanor. Further, pursuant to Exhibit 2, paragraph 8, the parties stipulated "that the underlying factual basis of the offense to which Mr. Corry is pleading (i.e., the Third Degree Assault) does not involve unlawful sexual behavior. The parties waive the establishment of a factual basis for the plea."

d. Respondent was sentenced on January 22, 2007. Respondent was sentenced to probation for a period of five years, substance abuse evaluation/treatment including continued alcohol therapy and monitored sobriety, a mental health evaluation/counseling or treatment, jail for 60 days and CareNet Counseling to continue for the entire period of probation. A copy of the sentencing document is attached hereto as Exhibit 3.

e. Respondent has a prior criminal record. In 1998, respondent engaged in conduct that resulted in three misdemeanor convictions in Washington, D.C., including convictions for a simple assault and two firearms charges. Respondent was not a member of the Colorado Bar at the time, but was licensed to practice law in the State of California. Respondent received discipline as an attorney in California.

f. Respondent's alcohol use played a role in respondent's convictions in both 1998 and 2006.

g. A copy of a document entitled Client Contract Specialized Treatment Program with CareNet Associates, LLC is attached hereto as Exhibit 4. Exhibit 4 details respondent's treatment with CareNet.

h. Through his conduct described above, the respondent has engaged in conduct constituting grounds for the imposition of discipline pursuant to C.R.C.P. 251.5. Specifically, respondent has violated Colo. R.P.C. 8.4(b) and 251.5(b).

7. Pursuant to C.R.C.P. 251.32, the respondent agrees to pay costs in the amount of \$467.00 (a copy of the statement of costs is attached hereto as Exhibit 5) incurred in conjunction with this matter within thirty (30) days after acceptance of the stipulation by the Presiding Disciplinary Judge, made payable to Colorado Supreme Court Attorney Regulation Offices. The respondent agrees that statutory interest shall accrue from the date that the Presiding Disciplinary Judge accepts this stipulation. Should the respondent fail to make payment of the aforementioned costs and interest within (30) days,

the respondent specifically agrees to be responsible for all additional costs and expenses, such as reasonable attorney fees and costs of collection incurred by the complainant in collecting the above stated amount. The complainant may amend the amount of the judgment for the additional costs and expenses by providing a motion and bill of costs to the Presiding Disciplinary Judge, which identifies this paragraph of the stipulation and the respondent's default on the payment.

8. This stipulation is premised and conditioned upon acceptance of the same by the Presiding Disciplinary Judge. If for any reason the stipulation is not accepted without changes or modification, then the admissions, confessions, and stipulations made by the respondent will be of no effect. Either party will have the opportunity to accept or reject any modification. If either party rejects the modification, then the parties shall be entitled to a full evidentiary hearing; and no confession, stipulation, or other statement made by the respondent in conjunction with this offer to accept discipline of a suspension of one year and one day, all stayed during a three-year probation may be subsequently used. If the stipulation is rejected, then the matter will be heard and considered pursuant to C.R.C.P. 251.18.

9. The Office of Attorney Regulation Counsel has notified or will notify shortly after the parties sign this agreement, the complaining witnesses in the matters of the proposed disposition.

10. Respondent's counsel, Larry Pozner, hereby authorizes the respondent, Robert J. Corry, Jr., and the non-lawyer individual in the Office of Attorney Regulation Counsel who is responsible for monitoring the conditions set forth herein to communicate directly concerning scheduling and administrative issues or questions. Respondent's counsel will be contacted concerning any substantive issue that may arise.

PRIOR DISCIPLINE

11. None in Colorado.

ANALYSIS OF DISCIPLINE

12. Pursuant to American Bar Association *Standards for Imposing Lawyer Sanctions* 1991 and Supp. 1992 ("ABA Standards"), §3.0, the Court should consider the following factors generally:

- a. The duty violated: Colo. RPC 8.4(b).
- b. The lawyer's mental state: knowing.

c. The actual or potential injury caused by the lawyer's misconduct: respondent violated his duties to the public and the court by engaging in criminal conduct. Respondent also engaged in misdemeanor assault which, pursuant to Exhibit 2, caused injury to the victim.

d. The existence of aggravating or mitigating factors: Factors in aggravation which are present include: prior disciplinary offenses (in California) and vulnerability of victim. ABA Standard §§9.22 (a) and (b). Factors in mitigation include: personal or emotional problems, full and free disclosure to disciplinary board; and imposition of other penalties or sanctions., ABA Standards §9.32(c), (e), (k).

13. Pursuant to ABA Standard §5.12, "Suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements listed in Standard 5.11 and that seriously, adversely reflects on the lawyer's fitness to practice."

14. There are many cases involving lawyers convicted of third degree assault. The discipline ordered in those cases varies significantly depending upon the factual basis for the criminal conviction. For instance, in *In re: Hickox*, 57 P.3d 403 (Colo. 2002) an attorney was suspended for six months for assaulting his wife. Hickox's sanction was aggravated by his failure to report the conviction to the Office of Attorney Regulation Counsel. In *People v. Nelson*, 941 P.2d 922 (Colo. 1997) an attorney was suspended for thirty days based upon his conviction for third degree assault.

In this case, the factual basis was waived and the plea to third degree assault is purely the result of a plea bargain. Respondent maintains that he engaged in no criminal conduct. The complaining witnesses and the victim maintain that respondent engaged in criminal conduct more serious than that to which he pled guilty.

15. Considering all of the factors described above, as applied to this case, suspension of one year and one day, all stayed for a probationary period of three years, with conditions, is an appropriate sanction. The respondent meets the eligibility requirements for probation set forth in C.R.C.P. 251.7(a).

CONDITIONS

16. Probation. The parties stipulate that the respondent is eligible for probation pursuant to C.R.C.P. 251.7(a). Successful completion of all these terms shall stay the imposition of the one year and one day suspension.

- a. The respondent shall be on probation for a three-year period of time.
- b. **Mandatory Rule Condition.** During the period of probation, the respondent shall not engage in any further violation of the Colorado Rules of Professional Conduct. See C.R.C.P. 251.7(b)
- c. The respondent shall attend and successfully pass the one-day ethics school sponsored by the Office of Attorney Regulation Counsel within one year of the date this stipulation is approved. The respondent shall register and pay the costs of ethics school within thirty (30) days of the date this stipulation is approved. Attendance at ethics school will count as 8 general CLE credits, including 7 ethics credits. The respondent may obtain the registration form for the ethics school on-line at www.coloradosupremecourt.com, "Ethics School." Instructions for registering are on the registration form.
- d. The respondent shall abide by the psychiatric monitoring conditions and treatment requirements outlined in Exhibit 4, attached hereto.
- e. The respondent shall successfully perform all requirements of the sentence imposed in Case No. 05CR4142 in *The State of Colorado v. Robert J. Corry, Jr.*, in Jefferson County District Court.
- f. Within 30 days following the Order approving this stipulation, the respondent shall execute releases authorizing the Office of Attorney Regulation Counsel to communicate with his probation officer and CareNet to confirm his compliance with the conditions imposed herein.

The respondent shall also be responsible for all costs of evaluation, treatment and supervision incurred as part of any condition of this probation. Failure to pay these costs prior to termination of probation shall constitute a violation of the probation.

17. **Violation of Conditions.** If, during the period of probation, the Office of Attorney Regulation Counsel receives information that any condition may have been violated, the Regulation Counsel may file a motion with the Presiding Disciplinary Judge specifying the alleged violation and seeking an

order that requires the attorney to show cause why the stay should not be lifted and the sanction activated for violation of the condition. See C.R.C.P. 251.7(e). The filing of such a motion shall toll any period of suspension and probation until final action. *Id.* Any hearing shall be held pursuant to C.R.C.P. 251.7(e). When, in a revocation hearing, the alleged violation of a condition is the respondent's failure to pay restitution or costs, the evidence of the failure to pay shall constitute *prima facie* evidence of a violation. *Id.*

18. **Successful Completion of Conditions.** Within thirty days and no less than fifteen days prior to the expiration of the period of probation, the respondent shall file an affidavit with the Regulation Counsel stating that the respondent has complied with all terms of probation and shall file with the Presiding Disciplinary Judge notice and a copy of such affidavit and application for an order showing successful completion of the period of probation. See C.R.C.P. 251.7(f). Upon receipt of this notice and absent objection from the Regulation Counsel, the Presiding Disciplinary Judge shall issue an order showing that the period of probation was successfully completed. *Id.* The order shall become effective upon the expiration of the period of probation. *Id.*

Don Quick, District Attorney for the Seventeenth Judicial District, of the State of Colorado, in the name and by the authority of the People of the State of Colorado, informs the court of the following offenses committed, or triable, in the county of Jefferson:

COUNT 1-SEXUAL ASSAULT (F-3)

Between and including September 23, 2005 and September 24, 2005, ROBERT JOHN CORRY unlawfully, feloniously, and knowingly inflicted sexual penetration or sexual intrusion on [REDACTED] while the victim was physically helpless and the defendant knew the victim was physically helpless and the victim had not consented; in violation of section 18-3-402(1)(h), C.R.S.

COUNT 2-SEXUAL ASSAULT (F-4)

Between and including September 23, 2005 and September 24, 2005, ROBERT JOHN CORRY unlawfully, feloniously, and knowingly inflicted sexual intrusion or sexual penetration on [REDACTED] and the defendant knew that the victim was incapable of appraising the nature of the victim's conduct; in violation of section 18-3-402(1)(b), C.R.S.

COUNT 3-UNLAWFUL SEXUAL CONTACT (M-1)

Between and including September 23, 2005 and September 24, 2005, ROBERT JOHN CORRY unlawfully and knowingly subjected [REDACTED] to sexual contact, and the defendant knew the victim did not consent; in violation of section 18-3-404(1)(a), C.R.S.

All offenses against the peace and dignity of the People of the State of Colorado.

Don Quick
District Attorney, #16156

By: Ted C. Tow III Date: 11/23/05

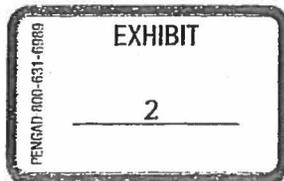
Ted C. Tow III, #30592
Senior Deputy District Attorney
Special Prosecutor
17th Judicial District
1000 Judicial Center Drive, Suite 100
Brighton, CO 80601

Court
 Defendant
 DA

<input type="checkbox"/> County Court <input checked="" type="checkbox"/> District Court <input type="checkbox"/> Juvenile Court Jefferson County, State of Colorado 101 Jefferson County Parkway Golden, CO 80401-1070	RECEIVED District Court Jefferson County NOV 13 2006 Division 4 _____ Enter: _____ ▲ COURT USE ONLY ▲
PEOPLE OF THE STATE OF COLORADO vs. ROBERT JOHN CORRY Defendant.	Case Number: 05CR4142 Division: 4
PLEA AGREEMENT	

Defendant, Robert John Corry, his counsel, Larry Pozner and Iris Eytan, and the People by and through Ted C. Tow III, Special Prosecutor, agree as follows:

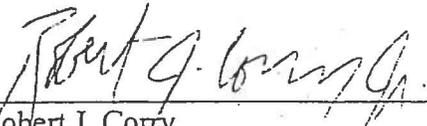
1. Mr. Corry will plead guilty to an added Count 4, Assault in the Third Degree, C.R.S. 18-3-204, a misdemeanor, with the named victim being [REDACTED]. The original counts will be dismissed with prejudice.
2. *The people make the following non-binding recommendations concerning sentencing:*
 Mr. Corry shall be sentenced to five years of probation, with no objection to early termination upon successful completion of treatment. No jail sentence will be required as a condition of probation. ~~The parties agree to go to immediate sentencing.~~
- 3. For the same reason a special prosecutor was appointed at the inception of this case, Mr. Corry's case will be referred to and supervised by the Adams County Probation Department.



4. As a condition of probation, Mr. Corry shall be required to participate in therapy with CareNet Counseling, Inc., a certified SOMB treatment provider.
5. The Court shall order an individualized treatment program that will be designed by CareNet for this particular individual, using the SOMB Treatment Standards as a guide. The treatment will include individual and/or group therapy. This program will focus on psychosexual education, personal accountability, anger management and boundary issues. However, Mr. Corry will not be ordered to participate in and successfully complete sex offense specific treatment pursuant to the Colorado Sex Offender Management Board.
6. In addition, the treatment program shall include substance abuse therapy and mandatory monitored sobriety, such as Antabuse, random breathalyzers and/or urinalysis for as long as the treatment provider believes is necessary.
7. CareNet Counseling shall be required to file written reports with the Adams County Probation Department and/or the Court on a monthly basis notifying them whether Mr. Corry remains in therapy and that he is successfully progressing in his treatment. Further, if at any time, Mr. Corry is not progressing in this treatment, CareNet Counseling shall be required to promptly notify Mr. Corry's probation officer and/or the Court.
8. Pursuant to C.R.S. 16-22-103(2)(C)(II)(A), the People stipulate that the underlying factual basis of the offense to which Mr. Corry is pleading (i.e., the Third Degree Assault) does not involve unlawful sexual behavior. The parties waive the establishment of a factual basis for the plea.
9. In light of the stipulation set forth in paragraph 8, the parties agree that Mr. Corry will not be convicted of an unlawful sexual offense, and thus will not be required to undergo an offense specific evaluation prior to sentencing pursuant to C.R.S. 16-11.7-102(2)(a), and will not be required to register as a sex offender pursuant to C.R.S. 16-22-103. Furthermore, Mr. Corry will not be admitting, nor be required to admit, that he is guilty of unlawful sexual behavior. Mr. Corry will make certain agreed upon acknowledgments, in writing, to the People, to the victim, and to his treatment provider that do not rise to the level of unlawful sexual behavior. These acknowledgments will remain confidential.
10. Because this is a private treatment program set up as part of this plea, CareNet Counseling will determine the specific parameters of the therapy, and will determine Mr. Corry's success or lack thereof. CareNet and Probation will not require Mr. Corry to submit to all aspects of SOMB Treatment, in light of the stipulation set forth in paragraph 8 above. For example, Mr. Corry's treatment will not be governed by SOMB Standard 3.600, which provides that the patient

admit to a sex offense in treatment, and if not, then the individual is in violation, and SOMB Standard 5.100, which requires that an individual be supervised by an Interagency Community Supervision Team.

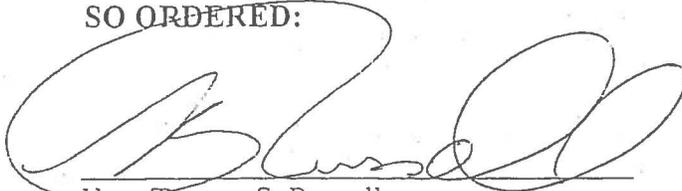
So stipulated and agreed to by the parties and the Court, this 13th day of November, 2006.


Robert J. Corry


Larry Pozner
Counsel for Defendant


Ted C. Tow III
Special Prosecutor
Senior Deputy District Attorney
Seventeenth Judicial District Attorneys Office

SO ORDERED:


Hon. Tamara S. Russell
Jefferson County District Court Judge

County Court District Court
JEFFERSON County, Colorado
 Court address: 100 JEFFERSON COUNTY PARKWAY
 GOLDEN, COLORADO 80401

People of the State of Colorado
 v.
 Defendant: Robert John Corry

Attorney or Party Without Attorney (Name and Address):

Phone Number: E-mail:
 FAX Number: Atty. Reg. #:

▲ COURT USE ONLY ▲

Case Number: 05CR4142
 ML Number: 46353915
 SID Number: 1895272
 Division: 4 Courtroom:

CONDITIONS OF PROBATION FOR THE OFFENSE(S) OF

3° Assault (M1) GRANTED on / / to / /

You shall be supervised by the probation department for a period of 5 months years and shall comply with the following conditions and those listed on the reverse side of this form. You may be supervised in specialized programs, as determined by the probation department, with additional conditions imposed.

As a condition of supervision, you shall pay the following amounts:

Victim compensation cost (VCMP)	\$ 60.00	Drug offender surcharge (DRUG)	\$
Crime assistance surcharge (VAST/VASG)	\$ 78.00	Special advocate surcharge (SPAD/SPAG)	\$
Restitution (REST)	\$	Sex offender surcharge (SXOF)	\$
Time payment fee (TIME)	\$ 25.00	Youthful offender surcharge (YTHO)	\$
Sheriff costs (ASSF)	\$	Drug standardized assessment fee (DSAS)	\$
Attorney fees (ATYF)	\$	PSI drug testing fee (PDTS)	\$
Supervision fee (SUPV)	\$ 50/mo	Sex offender identification fee (SOIF)	\$
ARDS fee (ALCV)	\$	Public defender fee (PDAR)	\$
Fee (FLNF/MISD)	\$	Child Abuse Investigation Surcharge (CHLD)	\$
Court costs - docket fee (CRTX)	\$ 35.00	Other	\$
LEAF fee (LEAF)	\$	Other	\$
		TOTAL	\$

A Time Payment Fee shall be assessed on your case unless all amounts (excluding supervision fee) are paid when the Order for payment is entered. In addition, late payments are subject to late fees, additional collection action, and collection costs. A cost of care reimbursement may be assessed in addition to the amounts above and may also be a continuing obligation after probation is terminated.

The total amount shall be paid to the Clerk of the Court at the address listed above, as follows:

According to a payment schedule as determined by the Collections Investigator.

At the rate of \$ _____, per _____ (time period), beginning _____ (date).

ADDITIONAL CONDITIONS: You shall participate in, cooperate with, pay any fees required, and successfully complete the following as indicated:

Substance abuse evaluation/treatment Continued alcohol therapy Up to 96 hrs. at discretion of P.O.

Mental health evaluation/counseling or treatment Monitored Sobriety Payment of \$85 ordered upon commencement.

Community corrections for _____ beginning _____

Community service of _____ hours completed by _____

Electronic monitoring for 60 days days or Global position monitoring for _____ days

Jail for 60 days beginning 1/22/07 **DOCKETED**

Work release for _____ beginning _____

You shall not contract any financial obligations without approval of your probation officer and/or Collections Investigator.

You shall comply with all terms and restrictions imposed by any Protection Order.

Other CareNet Counseling to continue the entire fine

Other _____


 Judge Date 1/22/07

I have received a copy of these conditions and have read them carefully with full understanding. I understand that if I violate these conditions I may be brought before the Court for revocation and imposition of sentence.

Defendant: _____ Date: _____ Probation Officer/Witness: _____ Date: _____



Combined Court, Jefferson County, State of Colorado

Case#: D0302005CR004142 Div/Room: 4

JUDGMENT OF CONVICTION, SENTENCE Original

The People of Colorado vs CORRY, ROBERT JOHN

DOB 3/05/1967 SID 1895272

The Defendant was sentenced on: 1/22/2007

People represented by...: TOW, T

Defendant represented by: POZNER, L

UPON DEFENDANT'S CONVICTION this date of: 11/13/2006

The defendant pled guilty to:

Count # 4 Charge: Assault 3-Know/Reckless cause injury

C.R.S # 18-3-204

Class: M1

Date of offense(s): 9/23/2005 to 9/24/2005 Date of plea(s): 11/13/2006

IT IS THE JUDGMENT/SENTENCE OF THIS COURT that the defendant be sentenced to

Probation 5.00 YEARS COUNT 4

Jail 60.00 DAYS COUNT 4

TERMS/CONDITIONS INCLUDE PAYMENT OF FEES/COSTS, SUBSTANCE ABUSE

EVAL/TREATMENT, CONTINUED ALCOHOL THERAPY, MONITORED SOBRIETY, CARENET

COUNSELING TO CONTINUE THROUGHOUT PROBATIONARY PERIOD. /JLD

	Assessed	Balance
\$	3,198.00	\$ 3,198.00

THEREFORE, IT IS ORDERED the Sheriff of JEFFERSON COUNTY shall convey the DEFENDANT to the following department TO BE RECEIVED AND KEPT ACCORDING TO LAW JEFFCO JAIL

ADDITIONAL REQUIREMENTS

restraining order pursuant to C.R.S. 18-1-1001 shall remain in effect until final disposition of the action, or in the case of an appeal, until disposition of the appeal.

JUDGMENT OF CONVICTION IS NOW ENTERED, IT IS FURTHER ORDERED OR RECOMMENDED:

DATE 1/22/07 NPT

JUDGE/MAGISTRATE

TAMARA S RUSSELL

CERTIFICATE OF SHERIFF

I CERTIFY THAT I EXECUTED THIS ORDER AS DIRECTED

DATE

SHERIFF

BY DEPUTY

DOCKETED

CLIENT CONTRACT SPECIALIZED TREATMENT PROGRAM

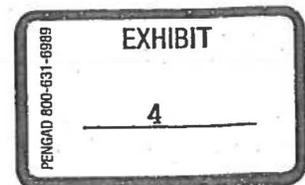
I, Robert J. Corry, Jr., accept and agree to abide by the following conditions while involved in the Specialized Treatment Program at CareNet Counseling Inc.

1. I understand that the primary purpose of my treatment is to learn to control my inappropriate behavior, as well as my deviant thinking, and to prevent further victimization of others. Therefore, it is my obligation to disclose any information about my offense and activities similar to my offense. I understand the benefits and the effectiveness of any treatment procedures offered by CareNet Counseling Inc. are dependent upon my utilization of the tools and techniques offered during the course of treatment.
2. I will not promote or participate in any sexual, physical, verbal or emotional violence, threats or intimidation toward anyone. I agree not to violate any city, state or federal laws. I also agree to comply with the conditions of my probation and understand that any violation of the above will be reported to the appropriate authorities.
3. I agree to attend and participate in a minimum of weekly sessions. I agree to complete all assignments given to me by the treatment provider. If the assignments are not completed in a timely manner and do not appear to be done in a thoughtful manner, the provider will request an extension from probation to complete the work. Once treatment begins, I understand it is on a tuition basis and **payment will be required whether or not I attend the scheduled sessions.** A total of attended sessions are necessary to complete this program, so unattended sessions, even if paid for, do not meet the attendance requirements. I agree to pay \$55 for each session. Payment is expected and required at the time of the session. I agree to meet all financial responsibilities for the Specialized Treatment Program at CareNet Counseling Inc.
4. I agree to complete the following treatment modules (check which ones must be completed):

- Boundaries Group (12 weeks)
- Anger Management (12 weeks)
- Substance Abuse Prevention (18 weeks)
- Life Skills (12 weeks)
- Psychosexual Education (26 weeks)
- Shame Education
- Sexual Compulsivity
- Individual Sessions

Other: Personal Accountability (12 weeks)

Monitored sobriety
such as: Antabuse, random breathalyzers
and/or urinalysis.



5. I agree to fully cooperate in the program by talking openly, processing personal feelings and personalizing the treatment material. This includes all assignments in the workbook, as well as those requested by the treatment provider.
6. I agree to be alcohol-free for the duration of treatment. I agree not to use illegal drugs or abuse prescription drugs while in treatment.
7. I agree to these exceptions in the patient-therapist confidentiality since my behavior was a criminal offense that affects the community and I want to be held fully accountable for my behaviors:
 - a. I agree I have no rights of confidentiality regarding my treatment at CareNet Counseling Inc. I acknowledge that this is necessary because inappropriate behavior thrives in secrecy and concealment. This includes admissions or threats of child abuse, any evidence of danger to self or others, and violence or threats of violence.
 - b. If any such rights of confidentiality or privileges of privacy exist or are held to exist by statute or rule of law, I hereby waive any and all such rights.
8. By signing this agreement, I agree to release of information allowing this agency to share information with the court, probation, polygraph assessment agencies and all other involved agencies as deemed necessary by the treatment program.
9. I will attend all sessions, and I will be on time for each session. I understand if I miss two (2) unexcused sessions, I may be terminated from the program and I may not be eligible for reentry.
10. I agree that, if applicable, my partner may make an appointment to discuss participating in a partner's session(s) if requested.
11. I agree that this document serves as a release of information that allows CareNet Counseling Inc. to speak to any person(s) or agency involved in my case, including CareNet's consulting psychiatrist.
12. I agree to take a polygraph and/or a penile plethysmograph if deemed, by my therapist and/or probation officer, to be of value or importance for my recovery and/or for the safety of the community.
13. I will not possess or view any pornographic, X-rated or inappropriate sexually arousing material, and I will not go to or loiter in areas where pornographic materials are sold, rented or distributed. This includes, but is not limited to, strip bars, adult bookstores, computer-generated pornography, HBO or any other cable station depicting nudity or sexually explicit material, sex phone lines, placing or responding to personal advertisements, participating in Internet pornography or talking sex in an Internet chat room.

- 14. I agree to inform my therapist in writing prior to a decision to change my residence and/or change my place of employment. I will discuss this with my therapist and gain approval before making any changes.
- 15. I will not frequent places or areas where prostitution is offered. I will not buy, sell or use prostitutes in any way while I am in the Specialized Treatment Program, nor will I offer myself sexually for any type of payment for services.
- 16. I will not possess or have immediate access to any firearms or weapons while in the Specialized Treatment Program.
- 17. I agree not to keep any secrets from my therapist.

I understand that any violation of the terms of this contract may lead to termination from this program and notification to the referring agency of the termination.

Robert J. Cory Jr.

Client name (please print)

Robert Cory Jr.

Client Signature

July 24, 2007

Date

update

[Handwritten Signature]

Therapist Signature

7-24-07

Date

update

Statement of Costs

Robert J. Cory

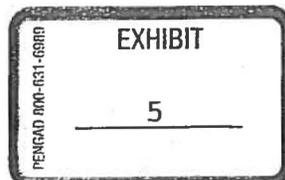
07-00285/07-00292

07-00352/07-00485

3/13/2007	Transcript Copies	113.15
7/2/2007	Deposition/Corry	262.85
8/30/2007	Administrative Costs	<u>91.00</u>

TOTAL COSTS

\$ 467.00



RECEIVED

MAR 14 2007

REGULATION
COUNSEL

ALLISON LEE
Jefferson County Court Reporter
100 South Clarkson, #302
Denver, CO 80209
303-271-6171 (w)
#522-23-3918

DATE OF INVOICE: March 13, 2007

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
11-13-06	05-CR-4142, People v. Robert Corry (Copy fee)	\$21.50
01-22-07	" "	\$91.65

TOTAL
\$113.15

Transcript ordered by: Charles Mortimer; Office of Attorney Regulation

Date of Order: Feb. 14, 2007

Date of Delivery: March 13, 2007

Regular delivery, no discounts, no refunds.

I certify that I have complied with all provisions of CHD 05-03 in preparation of this transcript.

Transcripts will be provided upon receipt of payment.

Thank you,

Allison Lee

Allison Lee

P/S Pay
[Signature]

07-00285
07-00292
07-00404
07-00352

716-51930-00-9001

**JAVELICK
& STENSTROM, LLC**
certified shorthand reporters

3131 South Vaughn Way, Suite 224
Aurora, Colorado 80014
(720) 449-0329 FEIN 84-1566167

INVOICE

RECEIVED

JUL 17 2007

ATTORNEY
REGULATION

DATE	INVOICE #
7/16/2007	13418

BILL TO:

CHARLES MORTIMER, JR., ESQ.
Office of Attorney Regulation Counsel
1560 Broadway
Suite 1800
Denver, Colorado 80202

RE:

People v. Robert J. Corry
Supreme Court, State of Colorado
Investigation Conducted by Attorney
Regulation Counsel
Case No. 07-00285, etc.

DUE DATE	REPORTER	SHIP DATE	SHIP VIA
8/16/2007	SD	7/16/2007	UPS

QUANTITY	ITEM	DESCRIPTION	RATE	AMOUNT
55	Depo ARC	Deposition of ROBERT J. CORRY Original Transcript Preparation July 2, 2007	3.50	192.50
1	Exhibits	Exhibit Copying	0.25	0.25
1	Index Tabs	Index Tabs	0.10	0.10
1	AF - Half Day	Appearance Fee - Half Day	50.00	50.00
1	0+1 Delivery	Delivery (Original and copy)	20.00	20.00

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