

The Supreme Court of the State of Louisiana

IN RE: FRANK J. LaBRUZZO

No. 2024-B-00601

IN RE: Disciplinary Counsel - Applicant Other; Frank John LaBruzzo - Applicant
Other; Joint Petition for Consent Discipline;

June 25, 2024

Joint petition for consent discipline accepted. See per curiam.

JLW

JDH

SJC

JTG

WJC


JBM

PDG

Crichton, J., additionally concurs and assigns reasons.

Supreme Court of Louisiana

June 25, 2024



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

NO. 2024-B-0601

IN RE: FRANK J. LaBRUZZO

ATTORNEY DISCIPLINARY PROCEEDINGS

PER CURIAM

Respondent pleaded guilty to one count of conspiracy to commit wire fraud, a felony violation of 18 U.S.C. § 371. Prior to the filing of formal charges, respondent and the Office of Disciplinary Counsel submitted a joint petition for consent discipline, in which respondent acknowledges that his conduct constitutes a violation of Rules 8.4(a), 8.4(b), and 8.4(c) of the Rules of Professional Conduct. Having reviewed the petition,

IT IS ORDERED that the Petition for Consent Discipline be accepted and that Frank J. LaBruzzo, Louisiana Bar Roll number 26771, be suspended from the practice of law for a period of three years,¹ retroactive to November 16, 2023, the date of his interim suspension.

IT IS FURTHER ORDERED that all costs and expenses in the matter are assessed against respondent in accordance with Supreme Court Rule XIX, § 10.1, with legal interest to commence thirty days from the date of finality of this court's judgment until paid.

¹ Although we feel respondent may benefit from a period of probation, we decline to impose probation at this time because the actual period of suspension is greater than one year and one day, thereby necessitating a formal application for reinstatement. This court has "typically declined to impose probationary periods or conditions in cases in which the sanction will require application for and reinstatement to the practice of law." *In re: Hollis*, 13-2568 (La. 3/14/14), 135 So. 3d 596, 599 n.2. Imposition of probation and conditions of probation may be considered if and when respondent applies for reinstatement after becoming eligible to do so.

SUPREME COURT OF LOUISIANA

No. 2024-B-00601

IN RE: FRANK J. LaBRUZZO

Attorney Disciplinary Proceeding

CRICHTON, J., additionally concurs and assigns reasons.

I agree with the per curiam. I write separately to note the importance of the compelling mitigating evidence presented in this case, which justifies the downward departure from the typical discipline imposed in similar matters. *See In re: Bernard*, 23-1139 (La. 1/10/24), 375 So. 3d 959 (Crichton, J., dissents in part, and would reject the consent discipline as “too harsh” in light of the mitigating factors presented); *In re: Schoenberger*, 21-191 (La. 6/31/21), 320 So. 3d 1125 (Crichton, J., dissenting in part, and finding the discipline imposed too harsh in light of the “numerous mitigating factors” presented). Lawyer discipline cases are always evidence driven, and I find the mitigating evidence here to weigh in favor of accepting consent discipline. *See, e.g., In re: Smothers*, 20-1412 (La. 3/16/21), 312 So. 3d 577 (Crichton, J., additionally concurs) (noting the “evidence-driven” nature of attorney discipline matters); *In re: Pullins-Gorham*, 20-0692 (La. 12/11/20), 315 So. 3d 187 (same).

Finally, because the suspension is for more than one year, respondent will be required to apply for reinstatement, which provides further guardrails for protection of the public. La. Sup. Ct. Rule XIX § 24(A), (E).