

LOUISIANA ATTORNEY DISCIPLINARY BOARD

IN RE: DOUNNISEI KUO GBALAZEH

DOCKET NO. 24-DB-033

REPORT OF HEARING COMMITTEE # 26

LA ATT. DISCIPLINARY BD
MAY 6 '25 PM 12:37

INTRODUCTION

This attorney disciplinary matter arises out of formal charges filed by the Office of Disciplinary Counsel (“ODC”) against Dounnisei Kuo Gbalazeh (“Respondent”), Louisiana Bar Roll Number 30896.¹ ODC alleges that Respondent violated the following Rules of Professional Conduct: 1.1(c), 1.5(f)(5), 5.5(a) & (e)(3), 8.1(c), and 8.4(a).²

PROCEDURAL HISTORY

The formal charges were filed on September 30, 2024. By letters dated October 4, 2024, the formal charges were mailed via certified mail to Respondent’s primary and secondary registration addresses.³ The mailing to the primary registration address was returned. Respondent failed to file an answer to the charges. Accordingly, on December 13, 2024, ODC filed a motion to deem the factual allegations admitted pursuant to Louisiana Supreme Court Rule XIX, §11(E)(3).⁴ By order signed January 5, 2025, the factual allegations contained in the

¹ Respondent was admitted to the practice of law in Louisiana on April 26, 2007. Respondent is currently disbarred. *In re Gbalazeh*, 2020-1111 (La. 11/24/2020), 304 So.3d 849.

² See the attached Appendix for the text of these Rules.

³ 1221 Locust St., Ste. 400, Philadelphia, PA 19107 (primary); 264 S. 4th St., Apt. B, Philadelphia, PA 19106 (secondary). In addition to the attempted service by the Board, on October 18, 2024, ODC emailed the charges to two email addresses listed by Respondent with the LSBA: dounnisei@yahoo.com and gbalazehlaw@yahoo.com.

⁴ This rule states:

The respondent shall file a written answer with the Board and serve a copy on disciplinary counsel within twenty (20) days after service of the formal charges, unless the time is extended by the chair of the hearing committee. In the event, Respondent fails to answer within the prescribed time, or the time as extended, the factual allegations contained within the formal charges shall be deemed admitted and proven by clear and convincing evidence. Disciplinary Counsel shall file a

formal charges were deemed admitted. On March 6, 2025, ODC filed its submission on sanction.

For the following reasons, the Committee finds Respondent guilty of violating Rules of Professional Conduct: 1.1(c), 1.5(f)(5), 5.5(a) & (e)(3), 8.1(c), and 8.4(a). The violations should be considered, along with prior adjudicated violations, if and when she seeks readmission to the practice of law in Louisiana. A majority of the committee further recommends that Respondent not be allowed to petition for readmission to practice law in Louisiana for an additional period of five years from the effective date of her disbarment (for a total of ten years), or until November 24, 2030.

FORMAL CHARGES

The formal charges read, in pertinent part:

1.

Dounnisei Kuo Gbalazeh ("Respondent") was born in 1975. Respondent was admitted to practice law in Louisiana on April 26, 2007 under Louisiana Bar Roll Number 30896.

2.

On October 1, 2008, Respondent was declared ineligible to practice law for failure to pay her annual Louisiana State Bar Association ("LSBA") membership dues and disciplinary assessment. Respondent has never regained eligibility.

3.

In 2014 and 2015, Respondent practiced law while ineligible in two immigration matters. She later failed to cooperate with the ODC's investigation of those matters. On December 5, 2017, the Supreme Court ("Court") suspended Respondent from the practice of law for one year and one day. *In re: Gbalazeh*, 17-1704 (La. 12/5/17), 231 So.3d 21 ("*Gbalazeh I*"). Respondent did not thereafter apply for reinstatement from her suspension.

4.

motion with the chair of the hearing committee to which the matter is assigned requesting that the factual allegations be deemed proven with proof of service of the formal charges upon the respondent. The order signed by the hearing committee chair shall be served upon respondent as provided by Section 13C. Within twenty (20) days of the mailing of the order of the hearing committee chair deeming the factual allegations contained in the formal charges proven, the respondent may move the hearing committee chair to recall the order thus issued upon demonstration of good cause why imposition of the order would be improper or would result in a miscarriage of justice.

In 2017, Respondent again practiced law while ineligible in another immigration matter. She also failed to refund an unearned fee and failed to cooperate with the ODC's investigation of that matter. On November 24, 2020, the Court disbarred Respondent and ordered that she make restitution, and return any documents belonging, to her client. *In re: Gbalazeh*, 20-1111 (La. 11/24/20), 304 So.3d 849 ("*Gbalazeh II*"). Respondent cannot petition for readmission to the practice of law in Louisiana until five years after the effective date of her disbarment, or until November 24, 2025. See La. S. Ct. R. XIX, § 24A.

5.

In compliance with Supreme Court Rule XIX, §§ 3E(1) and 11B(3), the ODC obtained permission to file these formal charges, thus establishing probable cause to believe that a violation or attempted violation of the Rules of Professional Conduct ("Rules") has occurred or that there are grounds for lawyer discipline pursuant to Supreme Court Rule XIX, § 9.

6.

On August 16, 2023, the ODC received a complaint ("Complaint") from Souleymane Traore ("Mr. Traore") regarding Respondent. The Complaint was opened for investigation as ODC 41289.

7.

Mr. Traore hired Respondent in September 2011 to "adjust [his] status on [an] immigration issue." Mr. Traore paid Respondent \$1,300.00 for representation in that matter. The Complaint further states, in pertinent part:

I did call her and I went to see her about my case [to] make [a] decision and she ask[ed] me to start mak[ing] the payment before we do start [to] open the process. It[] was for the adjustment of my status on [an] immigration matter. One day I called her [and] she wasn't no more [sic] in that office where she was working and the[y] gave me the new office address and I went there and I told her that I didn't want [to] continue the process with her no more and I want my money back. She gave me [a] new date to come back [and] take my money. From this date I did call her[.] [S]he never pick up the phone ..., never call me back ..., she never did nothing[.] I want my money back....

8.

On September 13, 2023, the ODC sent a letter and a copy of the Complaint to Respondent to her LSBA-registered primary address. On October 10, 2023, that correspondence was returned to the ODC for the following reason: "Not Deliverable as Addressed. Unable to Forward." United States Postal Service tracking for that correspondence indicates that Respondent's LSBA registered primary address is "Vacant."

9.

On September 13, 2023, the ODC also sent a letter and a copy of the Complaint to Respondent to her LSBA-registered secondary/preferred address.

On October 18, 2023, that correspondence was returned to the ODC for the following reason: "Forward Time Exp[ired] ... Return to Sender."

10.

On November 28, 2023, the ODC also sent a letter and a copy of the Complaint to Respondent to a potential last known address. On December 7, 2023, United States Postal Service tracking for that correspondence indicates that location could not be accessed for delivery.

11.

On December 8, 2023, the ODC sent an email to Respondent via her LSBA-registered public/service email address of gbalazehlaw@yahoo.com and her LSBA-registered private email address of dounnisei@yahoo.com. Delivery of that email to Respondent was confirmed via Microsoft Outlook on the same day. The email attached a copy of the Complaint and a letter requesting that Respondent provide a written response to the same within ten (10) days of the date of that letter, or by December 18, 2023. Respondent failed to provide any response to the Complaint by or after that deadline.

12.

Respondent has practiced law while ineligible, failed to refund an unearned fee to Mr. Traore, failed to cooperate with the ODC in its investigation of ODC 41289, and failed to comply with all of the requirements of the Court's rules regarding annual registration, including timely notification of changes of addresses.

13.

The ODC respectfully submits that there is clear and convincing evidence to believe that Respondent has violated Rules 1.1(c), 1.5(f)(5), 5.5(a) and (e)(3), 8.1(c) and 8.4(a).

14.

Given that Respondent remains disbarred today, the ODC submits that she should be adjudged guilty of Rule violations warranting discipline, which should be considered in the event that she seeks readmission after becoming eligible to do so. *See, e.g., In re: Hollis*, 15-0876 (La. 8/28/15), 177 So. 3d 110, 116 ("respondent guilty of additional rule violations to be considered when and if he applies for readmission to the practice of law"); *In re: White*, 23-1624 (La. 2/27/24), 379 So. 3d 655, 658 (same).

EVIDENCE

The Committee reviewed the exhibits submitted by ODC, which are Exhibits ODC 1-9. Respondent did not submit evidence or argument for the Committee's consideration, nor did she request to be heard in mitigation pursuant to Rule XIX, §11(E)(4).

FINDINGS OF FACT

Because the Respondent failed to submit an answer to the formal charges, which were corroborated by evidence in support, the facts as alleged by ODC were deemed admitted by order signed January 5, 2025. The facts related to the misconduct are outlined in Paragraph Seven and Twelve above:

Mr. Traore hired Respondent in September 2011 to “adjust [his] status on [an] immigration issue.” Mr. Traore paid Respondent \$1,300.00 for representation in that matter. The Complaint further states, in pertinent part:

I did call her and I went to see her about my case [to] make [a] decision and she ask[ed] me to start mak[ing] the payment before we do start [to] open the process. It[] was for the adjustment of my status on [an] immigration matter. One day I called her [and] she wasn't no more [sic] in that office where she was working and the[y] gave me the new office address and I went there and I told her that I didn't want [to] continue the process with her no more and I want my money back. She gave me [a] new date to come back [and] take my money. From this date I did call her[.] [S]he never pick up the phone ..., never call me back ..., she never did nothing[.] I want my money back....

Respondent has practiced law while ineligible, failed to refund an unearned fee to Mr. Traore, failed to cooperate with the ODC in its investigation of ODC 41289, and failed to comply with all of the requirements of the Court's rules regarding annual registration, including timely notification of changes of addresses.

RULES VIOLATED

The Committee finds that Respondent Dounnisei Kuo Gbalazeh violated the following rules of Professional Conduct:

1.1(c): Competence

ODC presented evidence (including sworn statements) of multiple unsuccessful attempts to reach respondent at addresses provided to the Louisiana State Bar Association. Respondent was first sanctioned for failure to pay annual dues and disciplinary assessment in 2008 and has not regained eligibility.

1.5(f)5 Fees

The basis of the complaint in this case was a fee paid by Complainant for which he demanded repayment. After Respondent verbally agreed to return the fee, she did not respond to Complainant's calls or visit, and the fee was not returned.

5.5(a) and (e)(3) Unauthorized Practice of Law

Respondent took a fee for legal services related to an immigration issue despite knowingly being ineligible to practice law in the State of Louisiana.

8.1(c) Bar Admission and Disciplinary Matters

Despite receiving a copy of the complaint and a letter requesting a written response to the complaint, Respondent has failed to cooperate with the ODC in its investigation of this matter.

8.4(a) Misconduct

Respondent knowingly violated the Rules of Professional Conduct. She took a fee for legal services despite knowingly being ineligible to practice law. She failed to return the unearned fee despite repeated demands and has failed to cooperate with the ODC in its investigation of the alleged misconduct.

SANCTION

Louisiana Supreme Court Rule XIX, §10(C), states that when imposing a sanction after a finding of lawyer misconduct, a committee shall consider the following factors:

- (1) Whether the lawyer has violated a duty owed to a client, to the public, to the legal system, or to the profession;

- (2) Whether the lawyer acted intentionally, knowingly, or negligently;
- (3) The amount of the actual or potential injury caused by the lawyer's misconduct; and
- (4) The existence of any aggravating or mitigating factors.

Here, Respondent violated duties owed to her client, the public and the legal profession. Her conduct was knowing if not intentional. Respondent's misconduct caused actual and serious harm to the Complainant. She accepted a fee of \$1,300 for legal services which she did not perform and failed to return the unearned fee despite repeated demands. The duration of the conversion of Complainant's funds has been extensive and Respondent has failed to make restitution for same.

Respondent violated duties to the public and the legal profession by violating Rules of Professional Conduct as outlined above and by failing to cooperate with the investigation of her misconduct.

The *ABA Standards for Imposing Lawyer Sanctions* suggest that disbarment is the baseline sanction for Respondent's misconduct. This is in line with ABA Standards 4.61, 5.11(b) and 7.1.

The committee considered the following aggravating factors:

1. Prior disciplinary offense: Respondent was declared ineligible to practice law for failing to pay annual LSBA membership fees and disciplinary assessment. She did not regain eligibility.
2. Respondent displayed a dishonest and selfish motive in holding herself out as a lawfully practicing attorney and converting Complainant's unearned fee, which has yet to be returned.
3. The conduct at issue here was the first of multiple similar violations which established a pattern of misconduct.

4. Multiple offenses here include unauthorized practice of law, unearned fees, and bad faith obstruction of the disciplinary process by failing to cooperate with the ODC investigation.
5. The committee believes the victim in this case was vulnerable due to issues related to his ongoing immigration status.
6. Respondent has shown an indifference to making restitution.
7. The committee believes the conversion of Complainant's funds is criminal theft.

Respondent bears the burden of proof to establish any mitigating factors. *Louisiana State Bar Ass'n v. O'Halloran*, 412 So. 2d 523, 525 (La. 1982). Respondent has not met her burden in this regard.

The Committee acknowledges it must consider the misconduct in this matter with the misconduct in Respondent's prior discipline matter pursuant to *La. State Bar Ass'n v. Chatelain*, 89-0703 (La. 1/22/1991), 573 So.2d 470. In *Chatelain*, the Court held:

Since the attorney-respondent cannot control the timing of the institution of disciplinary proceedings, it is generally inappropriate to disbar a previously disbarred attorney an additional time when the violations at issue occurred before or concurrently with the violations which resulted in the initial disbarment. When a second disciplinary proceeding against an attorney involves misconduct which occurred during the same time period as the first proceeding, the overall discipline to be imposed should be determined as if both proceedings were before the court simultaneously. [Citation omitted.]

573 So.2d 470, 471 n.2 (La. 1/22/91). In *Gbalazeh I* and *Gbalazeh II*, Respondent was suspended and then disbarred for misconduct that occurred between 2009 and 2017. The substantive misconduct in the present matter occurred in 2011. Thus, the substantive misconduct in this matter occurred during the same general time period as the misconduct in *Gbalazeh I* and *Gbalazeh II*. Accordingly, the misconduct in *Gbalazeh I* and *Gbalazeh II* must be considered

with the substantive misconduct here for the purpose of determining the appropriate sanction. However, Respondent's failure to cooperate with ODC's investigation occurred after her disbarment in *Gbalazeh II* and must be considered separately. See, e.g., *In re Ford*, 2014-0831 (La. 6/20/2014), 141 So.3d 800.

In reviewing the caselaw citing *Chatelain*, the committee understands the facts of this case fit neatly within the guidance offered where the "overall discipline to be imposed should be determined as if both proceedings were before the court simultaneously." However, both the lawyer member and public member of the committee believe the nature and number of the concurrent acts should be considered when recommending a sanction. While perhaps not rising to the level of permanent disbarment, both believe that such an egregious violation as knowingly and illegally practicing law without a valid license should warrant further sanctions where a specific misconduct is found "yet again." Also, the Respondent's failure to cooperate with the ODC in this matter adds an additional count of misconduct that does not fall under the umbrella of *Chatelain*.

Forming a majority of the committee, the lawyer member and public member recommend that Respondent's period of disbarment be extended for an additional five years, or that the date of November 24, 2030 be the earliest on which the Respondent be permitted to apply for reinstatement. Further, the Respondent should be ordered to pay restitution to Complainant in the amount of \$1,300, along with legal interest accumulated after a judgment ordering same, as well as the costs and expenses of the proceeding pursuant to Rule XIX, §10.1.

The Chairman concurs with their reasoning and concerns, however, he notes that the ODC did not propose additional sanctions, rather, that "the Respondent be adjudged guilty of the Rule violations set forth in the formal charges, to be considered if and when she seeks

readmission to the practice of law in Louisiana.” He believes this sanction is more in keeping with the caselaw citing *Chatelain*.

CONCLUSION

For the reasons heretofore assigned, the Committee recommends that the Respondent, Dounnisei Kuo Gbalazeh, have her period of disbarment extended to a date of November 24, 2030 before she can petition for reinstatement to practice law in Louisiana. Further, the Respondent should be ordered to pay restitution to Complainant in the amount of \$1,300, along with legal interest accumulated after a judgment ordering same, as well as the costs and expenses of the proceeding pursuant to Rule XIX, §10.1.

This is a majority opinion and has been reviewed by each committee member, who fully concur and who have authorized Committee Chairman Kenneth P. Mathews, to sign on their behalf.

Mandeville, Louisiana, this 29 day of April, 2025.

**Louisiana Attorney Disciplinary Board
Hearing Committee # 26**

**Kenneth P. Mathews, Committee Chair
Angela Cox Williams, Lawyer Member
Ron D. Thomas, Public Member**

BY:



For the Committee

APPENDIX

Rule 1.1. Competence

...

(c) A lawyer is required to comply with all of the requirements of the Supreme Court's rules regarding annual registration, including payment of Bar dues, payment of the disciplinary assessment, timely notification of changes of address, and proper disclosure of trust account information or any changes therein.

Rule 1.5. Fees

...

(f) Payment of fees in advance of services shall be subject to the following rules: ... (5) When the client pays the lawyer a fixed fee, a minimum fee or a fee drawn from an advanced deposit, and a fee dispute arises between the lawyer and the client, either during the course of the representation or at the termination of the representation, the lawyer shall immediately refund to the client the unearned portion of such fee, if any. If the lawyer and the client disagree on the unearned portion of such fee, the lawyer shall immediately refund to the client the amount, if any, that they agree has not been earned, and the lawyer shall deposit into a trust account an amount representing the portion reasonably in dispute. The lawyer shall hold such disputed funds in trust until the dispute is resolved, but the lawyer shall not do so to coerce the client into accepting the lawyer's contentions. As to any fee dispute, the lawyer should suggest a means for prompt resolution such as mediation or arbitration, including arbitration with the Louisiana State Bar Association Fee Dispute Program.

Rule 5.5. Unauthorized Practice of Law; Multijurisdictional Practice of Law

(a) A lawyer shall not practice law in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.

...

(e) ...

(3) For purposes of this Rule, the practice of law shall include the following activities: (i) holding oneself out as an attorney or lawyer authorized to practice law; (ii) rendering legal consultation or advice to a client; (iii) appearing on behalf of a client in any hearing or proceeding, or before any judicial officer, arbitrator, mediator, court, public agency, referee, magistrate, commissioner, hearing officer, or governmental body operating in an adjudicative capacity, including submission of pleadings, except as may otherwise be permitted by law; (iv) appearing as a representative of the client at a deposition or other discovery matter; (v) negotiating or transacting any matter for or on behalf of a client with third parties; (vi) otherwise engaging in activities defined by law or Supreme Court decision as constituting the practice of law.

...

Rule 8.1. Bar Admission and Disciplinary Matters

An applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not:

...

(c) Fail to cooperate with the Office of Disciplinary Counsel in its investigation of any matter before it except for an openly expressed claim of a constitutional privilege.

Rule 8.4. Misconduct

It is professional misconduct for a lawyer to:

(a) Violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;

...

CERTIFICATE OF MAILING

**IN RE: DOUNNISEI KUO GBALAZEH
DOCKET NO. 24-DB-033**

I, Raul V. Esquivel, the undersigned Board Administrator for the Louisiana Attorney Disciplinary Board, certify that a copy of the foregoing Hearing Committee Report and Initial Cost Statement has been mailed to the Respondent or his/her Attorney of Record, by E-mail and/or United States Mail and E-Filed to the Office of Disciplinary Counsel, this 7th **day of May, 2025** at the following address:

Via Email to: gbalazehlaw@yahoo.com

Via U.S. Mail to:

**1221 Locust Street, Suite 400
Philadelphia, PA 19107**

AND

**264 4th Street, Apt. B
Philadelphia, PA 19106**

**Mr. Christopher Kiesel
Deputy Disciplinary Counsel
4000 S. Sherwood Forest Blvd
Suite 607
Baton Rouge, LA 70816**



***Raul V. Esquivel III
Board Administrator***