



SUPREME COURT OF GEORGIA

Case No. S98Y1025.

Atlanta, May 1, 1998

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

IN THE MATTER OF BRENDAN ROBERT O'MARRA

The special master properly found respondent Brendan Robert O'Marra in default pursuant to Bar Rule 4-212 (a) for O'Marra's failure to file a timely response to the State Bar's formal complaint. We agree with the special master's findings and conclusions based on O'Marra's default, that O'Marra violated the following Standards of Bar Rule 4-102 (d): Standards 44 (wilful abandonment or wilful disregard of a legal matter intrusted to him), 45 (f) (instituting or settling a legal proceeding without obtaining proper authorization from the client), and 68 (failing to respond to disciplinary authorities during the investigation of the complaint).

The underlying facts are as follows: O'Marra agreed to represent the client in a civil matter in February 1996. The client signed a retainer fee contract that month and paid O'Marra \$675. In March O'Marra filed a complaint and discovery on the client's behalf in Cobb State Court, and received a settlement offer in the case from the opposing party in May. In June O'Marra wrote the client urging her to accept the offer, which she did not accept. When the case was scheduled for trial in January, he again urged her to settle before trial, but she did not. O'Marra was unwilling to proceed to trial and, although he had no authorization from the client, he filed a "motion for dismissal without prejudice," dismissing her complaint without her consent. In addition, O'Marra failed to file a timely response to the Notice of Investigation as required by Bar Rule 4-204.3.

We agree with the special master that O'Marra violated Standards 44, 45 (f), and 68 of Bar Rule 4-102 (d), and that a Review Panel reprimand is the appropriate sanction. See ABA Standards for Imposing Lawyer Sanctions (1991), Standards 4.43, 6.23. Accordingly, it is hereby ordered that respondent Brendan Robert O'Marra be issued a Review Panel reprimand at the next meeting of that Panel pursuant to Bar Rule 4-102 (b) (4).

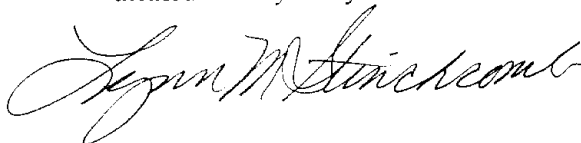
SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta



I hereby certify that the above is a true extract from the minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto affixed the day and year last above written.

 Chief Deputy Clerk