

People v. Ryan M. Pacyga. 19PDJ039. May 29, 2019.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and publicly censured Ryan Pacyga (*pro hac vice* registration number 14PHV4043), effective July 3, 2019.

Pacyga, a Minnesota lawyer, agreed to represent a client who was charged in Denver District Court with numerous crimes, including a class-two felony racketeering charge relating to a marijuana operation. Pacyga arranged for a Colorado defense attorney to appear as special counsel in the case and to sponsor his *pro hac vice* admission.

At their first in-person meeting in May 2015, Pacyga and the client discussed personal information, including their tattoos, and Pacyga showed her a tattoo on his hip. Pacyga also sought a variety of information about the client, including prior sexual abuse that she had experienced. After their first court hearing, Pacyga hugged the client. The two then went shopping for clothes for several hours.

In late May 2015, Pacyga was in a serious accident in Minnesota: a car drove up on a sidewalk and hit him, and he was pinned under the car and dragged. He suffered significant injuries, including a traumatic brain injury.

In June and July 2015, Pacyga and the client exchanged flirty texts, which included several requests by Pacyga for backrubs. On July 10, 2015, Pacyga and the client attended a court hearing. That night, the client met Pacyga in his hotel room. They then shared a meal, which was part social and part business—though Pacyga did not bring any materials to the dinner—and later they went to a nearby club, where they had drinks. The client spent the night in Pacyga's hotel room.

Pacyga and the client arranged to see each other again later that month, but the meeting never occurred. In August 2015, their communications changed and they texted much less. Around the same time, Pacyga's traumatic brain injury symptoms began to improve. Ultimately, Pacyga secured for the client a favorable legal outcome. Thereafter, the client asked local counsel to serve as buffer in her communications with Pacyga. The client terminated the representation in May 2016.

Many factual disputes remain about what transpired between Pacyga and client. But Pacyga admits that he did not maintain adequate boundaries with the client, and that his actions reflect compromised professional judgment and posed a risk that his ability to represent the client would be adversely affected.

Through this misconduct, Pacyga violated Colo. RPC 1.17(a)(2) (a lawyer shall not represent a client if a concurrent conflict of interest exists).

The case file is public per C.R.C.P. 251.31.