

*People v. Peak*. 08PDJ050. May 22, 2008. Attorney Regulation. The Presiding Disciplinary Judge approved a Conditional Admission of Misconduct submitted by the parties and disbarred Theodore Blakey Peak (Attorney Registration No. 29355) from the practice of law, effective May 22, 2008. Respondent engaged in misconduct in two client matters. One client hired Respondent to represent him in Colo. R. Civ. P. 106 and Colo. R. Crim. P. 35(c) matters, but Respondent failed to prosecute the Colo. R. Civ. P. 106 complaint and failed to file the Colo. R. Crim. P. 106 motion. Respondent accepted the retainer fee for this work into his personal account and thereafter spent it for his own purposes without earning it and without authorization from his client. Respondent also agreed to represent a second client in a social security disability matter while suspended from the practice of law and failed to inform his client of his suspension for over a month. His misconduct constituted grounds for the imposition of discipline pursuant to C.R.C.P. 251.5 and violated Colo. RPC 1.3, 5.5(a), 8.4(c), and 8.4(d).