

**People v. Curtis R. Smelser. 20PDJ002. January 14, 2020.**

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and publicly censured Curtis R. Smelser (attorney registration number 41689).

Smelser represented a client who was under contract to sell his residence. About a month before the closing, Smelser was alerted to an error in the property's legal description of the quit claim deed. In order to sell the residence, Respondent's client needed a correction deed from his ex-wife. Smelser contacted the lawyer for the ex-wife on at least four occasions over the course of two weeks. Although the lawyer eventually responded to Smelser, he was not able to obtain the ex-wife's signature on the correction deed. Frustrated by the situation, Smelser sent an email directly to the ex-wife, without copying the lawyer, asking her to sign the correction deed.

Through this conduct, Smelser violated Colo. RPC 4.2 (restricting the circumstances in which a lawyer may communicate about the subject of a client representation with a person the lawyer knows to be represented by counsel in the matter).

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