

People v. Benjamin J.H. Delanghe. 22PDJ020. July 25, 2022.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and suspended Benjamin J.H. Delanghe (attorney registration number 43563) for three years. The suspension, which takes into account significant mitigating factors, took effect on July 25, 2022. To be reinstated to the practice of law in Colorado, Delanghe must prove by clear and convincing evidence that he has been rehabilitated, has complied with all disciplinary orders and rules, and is fit to practice law.

On January 21, 2022, Delanghe pleaded guilty in federal court to two counts of possession with the intent to distribute a controlled substance. The factual predicate involved two incidents in 2019 when a confidential source working with the Drug Enforcement Administration ("DEA") arranged to purchase cocaine from Delanghe.

In March 2019, DEA agents provided the confidential source \$3,000.00 and drove the confidential source to a location near Delanghe's home. The agents watched the confidential source enter Delanghe's home during surveillance. The confidential source used the funds to purchase from Delanghe two ounces of cocaine. DEA agents verified through laboratory testing and analysis that the net weight of the purchased cocaine was 55.4 grams.

The next month, the confidential source purchased two ounces of cocaine from Delanghe with \$2,700.00 provided by DEA agents while DEA agents conducted surveillance. Laboratory analysis confirmed that the confidential source had purchased cocaine, with a net weight of 55.5 grams.

In Colorado, distribution or possession with intent to distribute 55.4 grams of cocaine is a level-two drug felony.

Through this conduct, Delanghe violated Colo. RPC 8.4(b) (it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects).

The case file is public per C.R.C.P. 242.41(a).