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**DISTRICT OF COLUMBIA COURT OF APPEALS**

No. 01-BG-1535

IN RE MICHAEL V. STATHAM, RESPONDENT.

A Member of the Bar  
of the District of Columbia Court of Appeals

On Report and Recommendation  
of the Board on Professional Responsibility

(BDN 406-01)

(Submitted January 14, 2003)

Decided January 30, 2003)

Before WAGNER, *Chief Judge*, and FARRELL and REID, *Associate Judges*.

PER CURIAM: The Court of Appeals of Maryland disbarred respondent Michael V. Statham by consent on October 9, 2001. In the Maryland proceeding, respondent conceded that he could not successfully defend himself against charges that he had intentionally misappropriated funds; specifically, those charges alleged that, in six instances, Statham had deposited into his personal account checks given to his firm as retainers or payment for legal services.

Upon learning of respondent's disbarment, this court temporarily suspended respondent pursuant to D.C. Bar R. XI, § 11 (d), and referred the matter to the Board on Professional Responsibility ("the Board"). The Board has recommended that respondent be disbarred as reciprocal discipline. Bar Counsel has informed the court that she takes no exception to the Board's recommendation. Respondent did not participate in the

proceedings before the Board and has not filed any opposition to the Board's recommendation.

Disbarment is the appropriate sanction in nearly all cases of intentional misappropriation. *In re Addams*, 579 A.2d 190 (D.C. 1990) (en banc). Given the presumption in favor of identical reciprocal discipline<sup>1</sup> and our limited scope of review in uncontested discipline cases,<sup>2</sup> we adopt the Board's recommendation. Accordingly, it is

ORDERED that Michael V. Statham is disbarred from the practice of law in the District of Columbia. We note that respondent has not filed the affidavit required by D.C. Bar R. XI, § 14 (g). We again direct his attention to the requirements of that rule and their effect on his eligibility for reinstatement. *See* D.C. Bar R. XI, § 16 (c).

*So ordered.*

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<sup>1</sup> *In re Zilberberg*, 612 A.2d 832, 834 (D.C. 1992).

<sup>2</sup> *In re Goldsborough*, 654 A.2d 1285 (D.C. 1995); D.C. Bar R. XI, § 11 (f).