

FINAL COPY

283 Ga. 85

S08Y0487. IN THE MATTER OF MATTHEW BRIAN BERNHARD.

**Per curiam.**

This disciplinary matter is before the Court pursuant to the Report and Recommendation of the Review Panel of the State Disciplinary Board, which recommends that Respondent Matthew Brian Bernhard be disbarred pursuant to Rule 9.4 (b) (1) of the Georgia Rules of Professional Conduct. See Bar Rule 4-102 (d). This disciplinary action arises out of Bernhard's having consented to disbarment in the State of New Jersey for knowingly misappropriating client trust account funds. The Review Panel found that Bernhard properly was served with the Notice of Reciprocal Discipline by publication pursuant to Bar Rule 4-203 (b) (3) (ii) after numerous unsuccessful attempts to obtain a voluntary acknowledgment of service and a Return of Service Non Est Inventus from the Sheriff of Hudson County in Hoboken, New Jersey. Bernhard failed to respond or object and, finding that none of the circumstances set forth in Rule 9.4 (b) (3) exist in this matter, the Review Panel unanimously recommends that Bernhard

be disbarred from the practice of law in Georgia.

This Court hereby accepts the recommendation of the Review Panel and orders that the name of Matthew Brian Bernhard be removed from the rolls of attorneys authorized to practice law in the State of Georgia. He is reminded of his duties under Bar Rule 4-219 (c).

Disbarred. All the Justices concur.

**Decided January 28, 2008.**

Disbarment.

William P. Smith III, General Counsel State Bar, Jonathan W. Hewett, Assistant General Counsel State Bar, for State Bar of Georgia.