

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF A MEMBER §
OF THE BAR OF THE SUPREME § No. 431, 2001
COURT OF THE STATE OF §
DELAWARE: §
§
JAMES J. FLYNN, JR. §

Submitted: September 10, 2001

Decided: September 21, 2001

Before **VEASEY**, Chief Justice, **WALSH**, and **STEELE**, Justices.

ORDER

This 21st day of September 2001, it appears to the Court that:

(1) On December 16, 1998, this Court suspended the petitioner, James J. Flynn, from the practice of law for failing to appear before the Court on a Rule to Show Cause. The Rule to Show Cause issued because Flynn had failed to file his 1998 annual registration statement with assessments. The period of suspension was indefinite and was to continue until Flynn petitioned for reinstatement and demonstrated his fitness to practice law. Flynn filed a petition for reinstatement with the Board on Professional Responsibility on March 5, 2001.

(2) The Board held a hearing on the matter. At the conclusion of the hearing, the Office of Disciplinary Counsel (“ODC”) recommended that

Flynn be reinstated subject to specific conditions. In a report filed with this Court on September 4, 2001, the Board found that Flynn met the conditions for reinstatement and recommended that Flynn be reinstated subject to a four year period of probation with specific conditions.

(3) The Court has reviewed the record, including the Board's report, carefully and has determined that the petition for reinstatement should be granted subject to the conditions set forth in the Board's report.

NOW, THEREFORE, IT IS ORDERED that Flynn be **REINSTATED** as a member of the Bar of this Court effective immediately subject to a four year public probation. During the probationary period Flynn shall be subject to the conditions recommended by the Board. ODC shall monitor compliance with said conditions and, in the event of any violation of the terms of probation, may file a petition directly with the Supreme Court requesting Flynn's suspension or transfer to disability inactive status.

BY THE COURT:

s/Joseph T. Walsh
Justice