

S21Y1070. IN THE MATTER OF MATTHEW ALEXANDER
BRYAN.

PER CURIAM.

This reciprocal discipline matter is before the Court on the State Disciplinary Review Board's April 23, 2021 report and recommendation that this Court disbar Matthew Alexander Bryan (State Bar No. 314060) from the practice of law in Georgia. See Georgia Rules of Professional Conduct, Rule 9.4 (b). The reciprocal proceeding arises from Bryan's disbarment from the practice of law in Montana. The State Bar of Georgia attempted to have Bryan served personally with the notice of reciprocal discipline at the address shown on the records of the State Bar's Membership Department, but the sheriff was unable to locate him. The State Bar then served Bryan by publication pursuant to Bar Rule 4-203.1 (b) (3) (ii), and Bryan submitted an acknowledgment of service. Bryan did not file any objections to the notice of discipline, see Georgia

Rules of Professional Conduct, Rule 9.4 (b) (2), and has not filed exceptions to the Review Board's report in this Court, see Bar Rule 4-218.

Bryan has been a member of the State Bar of Georgia since 2007 and was admitted to the practice of law in Montana in 2018. On June 18, 2019, he was disbarred from the practice of law in Montana by the Supreme Court of Montana. The Montana court determined that Bryan prepared a revocable trust for a Georgia resident in 2011 and was named as successor trustee. After the trust's settlor died in 2013, one of the trust's beneficiaries searched, without success, for Bryan for three years in order to obtain information about the trust. When the beneficiary finally located Bryan in 2016 and requested a disbursement from the trust, Bryan offered nothing but excuses for more than two years as to why the trust funds were not readily available and why he could not review and discuss the trust. After the beneficiary submitted a grievance to Montana's disciplinary authorities, Montana's Office of Disciplinary Counsel also determined that Bryan's website falsely claimed that

he was expanding his practice into Wyoming when he was neither admitted to practice, nor had applied for admission to practice, law in Wyoming. Bryan did not respond to the disciplinary authorities in Montana, and the Montana court concluded that he violated multiple disciplinary rules and that his misconduct in this matter was egregious and reflected extreme dishonesty and breaches of duty.

Based on a review of the disciplinary procedures and rules in Montana and records from the Montana disciplinary proceeding, the Review Board concluded that the conduct that led to Bryan's disbarment in Montana would constitute a violation of Georgia's disciplinary rules. It also noted that the records from the Montana disciplinary proceeding showed that the trust had an approximate value of \$398,000 at the time of the settlor's death and that Bryan had never provided an accounting of the funds in the trust.¹ The

¹ We note that persons who have suffered financial losses as the result of the dishonest conduct of a member of the State Bar of Georgia may seek to recover from Georgia's Client Security Fund. See Part X of the Rules and Regulations for the Organization and Government of the State Bar of Georgia.

Review Board concluded that the sanction of disbarment did not exceed the level of discipline allowed in Georgia for similar misconduct and that there was no basis for recommending anything other than substantially similar discipline. See Georgia Rules of Professional Conduct, Rule 9.4 (b) (3) (i)-(vi). Thus, it recommends that Bryan be disbarred from the practice of law in Georgia.

Having reviewed the record, we agree with the Review Board that disbarment is the appropriate sanction in this reciprocal discipline matter. Accordingly, it is hereby ordered that the name of Matthew Alexander Bryan be removed from the rolls of persons authorized to practice law in the State of Georgia. Bryan is reminded of his duties pursuant to Bar Rule 4-219 (b).

Disbarred. All the Justices concur.

Decided August 10, 2021.

Disbarment.

Paula J. Frederick, General Counsel State Bar, William D. NeSmith III, Deputy General Counsel State Bar, Jenny K. Mittelman, Andreea N. Morrison, Assistant General Counsel State Bar, for State Bar of Georgia.