

BEFORE THE DISCIPLINARY BOARD
OF THE SUPREME COURT OF PENNSYLVANIA

IN THE MATTER OF : DOCKET NO. 2608 DD NO. 3
JIMMIE MOORE : 87 DB 2019
PETITION FOR REINSTATEMENT : ATTORNEY REGISTRATION NO.
: 24513 (PHILADELPHIA)

BRIEF OF THE PETITIONER, JIMMIE MOORE, TO THE
HEARING COMMITTEE ON BEHALF OF HIS REQUEST FOR REINSTATEMENT
TO THE PRACTICE OF LAW

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I. HISTORY OF THE CASE

The Petitioner, former Judge Jimmie Moore, is presently seeking reinstatement to the practice of law in the Commonwealth of Pennsylvania. Mr. Moore was admitted to the practice of law in Pennsylvania in 1976. He was subsequently placed on interim suspension by Order of the Supreme Court dated May 13th, 2019. He was then suspended for four years by Order of the Supreme Court of Pennsylvania dated March 16th, 2022, which was retroactive to his May 13th, 2019 interim suspension, (see Exhibit "J-2[B][I]", page 16). The Petitioner's four-year suspension had been recommended by the Report of the Hearing Committee, (see Exhibit "J-2[B][I]", page 79). The Disciplinary Board in a Report and Recommendation to the Supreme Court had recommended the Petition be disbarred, (see Exhibit "J-2[B][II]", page 42). As noted, the Supreme Court of Pennsylvania rejected the Disciplinary Board's recommendation and ordered a four-year suspension retroactive to May 13th, 2019, (see Exhibit "J-2[B][I]", page 60). The essence of the Disciplinary litigation was the nature of discipline.

The discipline resulted from a guilty plea of the Petitioner, Jimmie Moore, on October 3rd, 2017 before the Honorable Jan Dubois of the United States District Court for the Eastern District of Pennsylvania. Mr. Moore pled guilty to falsifying federal election campaign reports as required by 52 U.S.C.A. 30104 and criminally of a scheme to falsify his

campaign reports (18 U.S.C.A. [A][1][2]) and aiding and abetting such activity. He was subsequently sentenced by Judge Dubois on December 12th, 2019 to two years' probation, (see Exhibit "P-1" the December 12th, 2019 Sentencing Notes, pages 54-56). Judge Dubois, at the Sentencing Hearing, noted as follows:

"The defendant was convicted of a crime to falsify. In his guilty plea, he admitted to his participation with Kenneth Smuckler, Carolyn Cavaness and Donald Jones in a criminal scheme that circumvented federal campaign financial limits in an attempt to defeat transparency in the campaign finance --- Mr. Moore's unlawful conduct involved a deal by which he --- under which he agreed to withdraw as a candidate in the 2012 primary election campaign for Pennsylvania First Congressional District in exchange for \$90,000.00 from the campaign of Bob Brady, the incumbent, to be used to pay off Moore's campaign debts. The Brady campaign falsely reported that three payments totaling \$90,000.00 for a poll commission and by Moore during his primary election campaign, a poll to which the Brady campaign already possessed and for consulting services never provided. The Moore campaign never reported that its' campaign debts were paid and the Brady campaign falsely reported the nature of the payments. Nevertheless, although serious, the Court concludes that the defendant's cooperation and his conduct before entering into this unlawful scheme in 2011 warrants a probationary sentence," see Exhibit "P-1", page 55.

Mr. Moore has completed his federal sentence and served more than his four-year suspension.

Mr. Moore, through present counsel, Samuel C. Stretton, Esquire, filed his Reinstatement Petition on April 27th, 2023, (see Exhibit "J-1"). At all pertinent times, in his reinstatement request, Mr. Moore was represented by Samuel C.

Stretton, Esquire. The Office of Disciplinary Counsel has been represented by Harriet Brumberg, Esquire, Assistant Disciplinary Counsel.

A Hearing Committee was assigned to the hear case. The Hearing Committee was chaired by Attorney Thomas Sweeney, Esquire. The Hearing Committee consisted of Attorney Zanetta Marie Ford, Esquire and Attorney Dean E. Weisgold, Esquire. The reinstatement hearings were held in person on March 6th, 2024 and March 7th, 2024. The Petitioner, during the March 6th, 2024 hearing, presented the testimony of Attorney Jeffrey Miller, Attorney Wadud Ahmed, Reverend Dr. Damone B. Jones, Sr., Sarah Lewis, Rose Harper, Marcus Brandt, James McEldrew, III, Esquire, Khadijah Aziz, and Kawana Shaw. All of these were mainly character witnesses. Then Jimmie Moore testified. On May 7th, 2024 the testimony of Jimmie Moore was completed and the reinstatement hearing concluded. No adverse witnesses were presented by the Office of Disciplinary Counsel.

At the conclusion of the hearing, on March 7th, 2024, Mr. Stretton asked that the word limitation of 6,000 words be increased to 10,000 words and that request was granted. He also asked that the time for his Brief be extended from twenty days to thirty days, (3/7 N.T. 184, 185). There were then closing arguments made, (3/7 N.T. 185-213).

This present Brief is being presented on behalf of the
Petitioner, Jimmie Moore, who is respectfully requesting this
Honorable Hearing Committee recommend his reinstatement to the
practice of law to the Disciplinary Board of the Supreme Court
of Pennsylvania and ultimately to the Supreme Court of
Pennsylvania.

II. ISSUES PRESENTED FOR REVIEW

1. Has the Petitioner, Jimmie Moore, demonstrated by clear and convincing evidence that he has the moral qualifications, competency and learning in the law required for admission to practice law in the Commonwealth of Pennsylvania, and further, has he demonstrated by clear and convincing evidence that his resumption to the practice of law within the Commonwealth will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest? --- The Petitioner, Jimmie Moore, respectfully contends that he has met the burden of proof by clear and convincing evidence to be reinstated to the practice law in the Commonwealth of Pennsylvania.

III. PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

1) At the time of the Reinstatement Hearing, Former Judge Jimmie Moore, was 73 years of age. He had been previously married but was divorced and single. He had two children from the marriage, his son who is a lawyer in California, and his daughter who does non-profit work for a youth program. Jimmie Moore grew up in Hartford, Connecticut, (3/6 N.T. 269, 270).

2) Jimmie Moore came to Philadelphia since he had attended Rutgers School of Law in Camden, New Jersey. He did his undergraduate training at the University of New Hampshire where he majored in political science and sociology, (3/6 N.T. 270, 271).

3) Mr. Moore was admitted to practice law in Pennsylvania in 1976. At the time, he was working for the New York Legal Aid Society. His wife then got a job in Wilmington, Delaware and he moved with his family to Wilmington. Initially, he was appointed as an Assistant Attorney General in the state of Delaware. He then became a special investigator for HUD at the Curtis Building in Philadelphia. In 1977, in Philadelphia, he then went to work for PCCA, which is a non-profit agency involved with housing. He then began his own law practice in Pennsylvania while he was still a lawyer working for PCCA, (3/6 N.T. 271, 272, 273).

4) At some point, Mr. Moore began practicing full-time in Pennsylvania and continued his practice until his election as a Judge to the Municipal Court in Philadelphia County in 1999, (3/6 N.T. 274). He was always a sole practitioner when he was practicing, (3/6 N.T. 274).

5) Mr. Moore testified initially he did many Philadelphia criminal indigent court appointments and actually tried a homicide but his practice changed to a primarily civil practice in Philadelphia before he was elected to the bench. His practice was in Philadelphia County although he did some work in Delaware County, (3/6 N.T. 274, 275).

6) Mr. Moore testified that while three to four years into his private practice, he also became a title agent for Industrial Valley Title, Co. He said he worked in that capacity in addition to his law practice until around 1988, (3/6 N.T. 275, 276).

7) Mr. Moore said that during that same time period, he formed his own title company which he called Locust Abstract. He said that Locust Abstract was not actually a title company but was an entity he used as an agent for Industrial Valley. He then acted as an agent through Locust Abstract, (3/6 N.T. 275, 276).

8) Mr. Moore testified that he did not try any cases to a jury verdict on the criminal side, but tried many, many non-jury cases to verdict on the criminal side before becoming a Judge,

(3/6 N.T. 277). He said that he also tried about 150 cases to verdict in civil arbitrations, (3/6 N.T. 278).

9) As a practicing lawyer, before he took the bench, Mr. Moore said that he was involved in many types of community services. He stated that he represented the black Democrat ward leaders in Philadelphia and did that with Carol Campbell. He did a lot of free legal work through the Democrat political leaders. He also served on several non-profit charter boards such as the World Communications and Charles Ellis Foundation. The Charles Ellis Foundation assisted young girls getting monies to attend private and other school related activities, (3/6 N.T. 279, 280).

10) Mr. Moore stated as a practicing lawyer, he was sued one time for legal malpractice but the case was dismissed, (3/6 N.T. 280).

11) Mr. Moore testified that he decided to run for Judge since he was encouraged by political leaders to do so, his daughter was going to college so he needed a regular income and he had also filed for bankruptcy. He noted that he filed two bankruptcies. One before he was elected to the bench and the second, after his arrest and conviction, (3/6 N.T. 281, 282).

12) Mr. Moore testified that when he ran for Municipal Court Judge in 1999, he was the endorsed candidate for the Democrat Party. He ran both on the Democrat ticket and the

Republican ticket since he cross-filed. He was elected then to a six-year term as a Municipal Court Judge. He then was re-elected in 2005 for a second term, (3/6 N.T. 282, 283).

13) Mr. Moore testified that as a Municipal Court Judge, he did hear some civil cases, but mainly criminal cases. Many of the cases he heard were at the police district at 55th and Pine during that time period, (3/6 N.T. 84).

14) Mr. Moore testified that as a Municipal Court Judge, he never received any professional discipline, (3/6 N.T. 28/4).

15) Mr. Moore testified that he was never disciplined as an attorney during the years he practiced law through the time he was elected to the Municipal Court in 1999, (3/6 N.T. 284).

16) Mr. Moore testified that he left the bench after serving approximately ten years to run for a seat in Congress in the First Congressional District. At that time the seat was held by Robert Brady, who was the incumbent and also the Chairman of the Democratic Party in Philadelphia County, (3/6 N.T. 285).

17) Mr. Moore testified that Mr. Brady was not happy with him running against him for the Congressional seat in 2011. Mr. Moore opened a campaign office at 12th and Spring Graden Streets, (3/6 N.T. 286).

18) Once his campaign started, Mr. Moore testified that Congressman Brady had several people meet with Mr. Moore and talk to him about getting out of the race. Mr. Moore said that

when he started the race, he had approximately \$160,000.00 in campaign funds. But because he had let everyone know early on that he was going to run, the district which had been a primarily black district, was changed and moved out to Swarthmore to add more white voters, (3/6 N.T. 287).

19) Mr. Moore testified that he did not want to waste his money since the polls showed that he would have great difficulty winning the race, (3/6 N.T. 288).

20) Mr. Moore said that he decided to get out of the race since he ran out of money and could not pay his staff and could not pay some of the political consultants he had hired, (3/6 N.T. 288).

21) Mr. Moore testified the former Mayor of Philadelphia, Wilson Goode, who is now a pastor, brokered a deal between he and Mr. Brady. He said that they met at Reverend Goode's church in Philadelphia. At that meeting, Mr. Moore, after talking to Mr. Brady, decided to get out of the race. He said that Mr. Brady told Mr. Moore that Mr. Brady would help him if he got out of the race. Mr. Brady told him that in two years when he got out of the race, he would be Mr. Moore's campaign manager. Mr. Moore stated he trusted Wilson Goode and that Mr. Goode had appointed him to the license and review board when he was Mayor in Philadelphia. He said that Mr. Goode told him that Mr. Brady never lied to him, (3/6 N.T. 288, 289, 290).

22) Mr. Moore stated that in return for his withdrawal, he asked for \$120,000.00 because he wanted to pay his campaign debts and his staff and other things, (3/6 N.T. 290, 291).

23) Mr. Moore testified that ultimately the agreement was to pay him \$90,000.00. At the hearing, Mr. Moore said that he knew that he could not legally do it that way and his acceptance was a lapse of judgement. He noted his back was against the wall due to his campaign debts, (3/6 N.T. 290, 291).

24) Mr. Moore testified this meeting with Mr. Brady and Mr. Goode was in February of 2012. He then said he met with Mr. Smuckler, a campaign aide of Mr. Brady. They developed a scheme to pay Mr. Moore the \$90,000.00 but they had to hide it because it would be illegal to pay someone to get out of the race. The scheme used was to create a false corporation and then submit false invoices. The false invoices included the expense for a poll that was already purchased. Mr. Moore admitted the invoices were false, (3/6 N.T. 291, 292).

25) Mr. Moore agreed that he knew this was illegal but he did it to receive the \$90,000.00. He then filed his financial statements with the Federal Election Commission and in there, he listed false information on the campaign reports which were submitted, (3/6 N.T. 293).

26) Mr. Moore then said he paid his campaign manager who was also his girlfriend approximately \$30-35,000.00. Her name

was Reverend Carolyn Cavaness. He had met her since she was a proposal writer in New York and he hired her as his financial person. Subsequently, they got into a romantic relationship. They were together for about four or five years, (3/6 N.T. 294, 295).

27) Mr. Moore agreed that he had Ms. Cavaness as his campaign manager, sign the false campaign reports. He said that when the FBI approached him several years later in April of 2017 about this misconduct, he immediately told them that he would take full responsibility and he really did not want Ms. Cavaness to be involved. He noted that she had gone to Columbia University and also Union Seminary, (3/6 N.T. 295, 296).

28) Mr. Moore testified that he did buy a Cadillac using campaign funds. He did pay his campaign manager/girlfriend about \$30-\$35,000.00 since he had not paid her during the campaign, (3/6 N.T. 296, 297).

29) Mr. Moore testified after he ended his campaign until the FBI came in 2017, he reactivated his law license but had a very small practice. He owned two real-estate properties. The property at 1801 North 33rd Street was where he lived. At times he would rent out the property but he allowed his mother to live there until she passed away in 2010 and then his daughter stayed there as did his brother until he was shot and died, (3/6 N.T.

299, 300). The other property was 717 South Columbus Blvd., (3/6 N.T. 298, 299).

30) Mr. Moore testified that he is currently pursuing an appeal through the city because he had no rental license for that property but most of the time his relatives were living there. He said that when relatives were there, he did not need a license. He said he paid everything for his mother and his daughter, (3/6 N.T. 300, 301).

31) Mr. Moore testified that he no longer lives at the 1801 North 33rd Street address and rents that out to non-family members now. That case is still on appeal and he will get a rental agreement depending on how the appeal is decided, (3/6 N.T. 301, 302). Mr. Moore stated that the appeal is pending before the Board of Revision of Taxes in Philadelphia, (3/6 N.T. 302).

32) Mr. Moore testified that he is currently living at 717 South Columbus Blvd., where he owns a condo. He is living in a condo, one bedroom apartment. He does not own the rest of the building, (3/6 N.T. 303).

33) Mr. Moore testified that when he was a Judge, he had owned four or five properties but did not consider himself to be in the real-estate business. He indicated that it did not work out because the areas where he owned the properties were not

good and every time he got them renovated, the property values would go down again, (3/6 N.T. 305, 306, 307).

34) Mr. Moore testified there had been violations over some of his properties over the years but at the present time to his knowledge, there were no outstanding L&I safety violations, (3/6 N.T. 307, 308).

35) Mr. Moore testified that he applied and became a senior judge again in Municipal Court in 2017 and then he left the senior judgeship in 2018. He said the FBI came to him in April of 2017 when he was sitting as a senior judge, (3/6 N.T. 308, 309).

36) Mr. Moore stated that he was not aware the FBI had been investigating his election misconduct but once he became aware of it, he accepted full responsibility and then he cooperated. On behalf of the FBI, he wore a wire when speaking to Mr. Smuckler. He testified against Mr. Smuckler in the criminal case and fully cooperated, (3/6 N.T. 309, 310, 311).

37) Mr. Moore testified that he did not advise the AOPC or the Chief Justice of his pending criminal investigation. He said that he did not do so because he was not aware of this requirement at the time and his criminal lawyers did not tell him about the requirement. He said that he would have reported it if he had known about his duty to do so, (3/6 N.T. 310, 311).

38) Mr. Moore testified that he hired attorney Jeffrey Miller. He entered a plea to filing false reports in violation of 18 U.S.C.A. 1101(A)(1) & (2). He testified that he was sentenced to two years of reporting probation and fined \$100.00. He testified that he has complied with all of the conditions of his probation. His probation is now completed and he has paid the \$100.00, (3/6 N.T. 313). The actual date of his guilty plea was October 3rd, 2017, (3/6 N.T. 214).

39) Mr. Moore agreed that he then reported his plea to the Office of Disciplinary Counsel, (3/6 N.T. 314, 315). Mr. Moore testified on May 13th, 2019 he agreed to an interim suspension from the practice of law, (3/6 N.T. 315).

40) Mr. Moore testified he went to a disciplinary trial on the issue of the nature of discipline. The Hearing Committee recommended a four-year suspension, the Disciplinary Board recommended disbarment and the Supreme Court of Pennsylvania on March 16th, 2022 ordered Mr. Moore suspended for four years retroactive to the May 29th, 2019 interim suspension, (3/6 N.T. 315, 316). He said the litigation was essentially over the length of the discipline, (3/6 N.T. 316).

41) Mr. Moore said he accepted responsibility for violating Rule 8.4(c) involving misrepresentation and of Rule 8.4(d) of conduct contrary to the administration of justice, of Rule 8.4(b) of criminal conduct reflecting on his honesty and

trust-worthiness, Rule 8.4(a) violating the Rules of Professional Conduct and Disciplinary Enforcement Rule 203(b)(1) that he was criminally convicted, (3/6 N.T. 316, 317).

42) Mr. Moore testified that during the time of his suspension, he has written a detective novel under the pen-name Derrick Winston, (3/6 N.T. 317, 318). Mr. Moore indicated that he is now writing a second book, (3/6 N.T. 318, 319).

43) Mr. Moore testified that since he has been suspended, he has not practiced law or held himself out to practice law or giving any legal advice, (3/6 N.T. 319, 320).

44) Mr. Moore testified that he has received several referral fees on small cases from Attorney McEldrew, who is a close friend of his. He agreed that he had left the senior judgeship and he had been put on retired status but testified he did not realize it at the time. He said that when the letters were sent to him about retired status, he was out of the country in Costa Rica and did not receive the letters timely. He accepted the referral fees because he thought he was licensed at the time he referred the cases and he now agreed he was wrong, (3/6 N.T. 321, 322, 323).

45) Mr. Moore testified that he accepts full and complete responsibility for his misconduct, (3/6 N.T. 323).

46) Mr. Moore said the following about his misconduct involved this four-year suspension:

"I have been a lawyer for what some 35-40 years, a judge, a public figure. I tried you know during the period of time not to get in trouble not to do anything. Folks look up to lawyers, look up to judges and you know for a long time I just stayed in the house other than to get food and what have you because I was so embarrassed and I am sorry in terms of whatever disgrace I have brought to the bar, to the members of the bench, to my family, to those folks who believed in me, you know prior to me getting out of the race and giving me their hard earned dollars. Hindsight is 20/20 but I cannot even tell you even how I feel today. I mean this is a nightmare that is not going to go away," 3/6 N.T. 323, 324.

47) Mr. Moore testified he had also taken the required legal education courses required for seeking reinstatement, (3/6 N.T. 323) also see Exhibit "J-2[E]" setting forth the CLE courses Mr. Moore took to satisfy his currency in learning of the law. Mr. Moore said he actually took 53 hours of CLEs, which is beyond the 36 hours required. He also noted that he has read the Legal Intelligencer regularly, (3/6 N.T. 326, 327).

48) Mr. Moore testified in terms of qualitative rehabilitation he has done the following. First, with the organization Brotherhood, he goes to the prison twice a month to meet with juveniles who are charged as adults. He does this with his pastor. There is basketball mentoring and then there are discussions helping these young men and giving them ideas of what to do with their lives and how to change, (3/6 N.T. 327, 328).

49) Mr. Moore testified that he has been doing this for about a year and a half going twice a month, (3/6 N.T. 329).

50) Mr. Moore stated that it is his intention to continue doing these twice a month visits at the prison with the pastor and working with these young men even after he is reinstated, (3/6 N.T. 329).

51) Mr. Moore indicated that he is also involved with the FYEP program which teaches young juveniles about aviation and careers with airplanes and airports. He has helped young people write resumes, how to dress and tell what they are doing, (3/6 N.T. 329, 330). Mr. Moore also talked about the tall ships program where he works on ships usually every Saturday for all day, getting the ships in shape and fixing the boats for tours for children and adults, (3/6 N.T. 331, 332). Mr. Moore also testified that he works with the labor union and their apprentice program to help young men there, (3/6 N.T. 333, 334).

52) Mr. Moore testified that he had been diagnosed in 2003 with prostate cancer and the cancer had returned in 2014. He said that the cancer is in remission now and he goes twice a year for blood tests to check. He is being treated through Fox Chase Cancer Hospital, (3/6 N.T. 336, 337). Mr. Moore testified that his physical conditions would not in any way prevent him from practicing law. Further, he testified that he does not want to go to a full-time law practice. He said that he has wanted to

be a lawyer since he was nine years old. He indicated he wants to practice and will do it part-time but recognizes at his age, in his 70s, that he does not want to begin a full-time legal practice, (3/6 N.T. 339, 340).

53) Mr. Moore then testified about the concerns Disciplinary Counsel raised in her October 23rd, 2023 letter. This is marked as Exhibit "P-4" for identification purposes, (3/7 N.T. 5, 6, 7). Mr. Moore was asked about the number of letters after his reinstatement that Disciplinary Counsel sent requesting additional material. He agreed that he had responded and provided a great deal of material from May through September of 2023 per Disciplinary Counsel's requests, (3/7 N.T. 8, 9, 10).

54) Mr. Moore agreed that finally, when he received Disciplinary Counsel's letter of September 19th, 2023, marked as "ODC-19", he told Mr. Stretton that he was not going to further cooperate since he thought he had provided enough information and he wanted to get to a hearing, (3/7 N.T. 9, 10).

55) Mr. Moore testified that he had gone to Wilmington about his bankruptcy records and they did not have them any longer since so many years had passed. He said he had destroyed his financial accounts and checks at the request of his prior lawyer, Robert Tinter, (3/7 N.T. 11). Mr. Moore testified that it was his understanding that he would get a reinstatement

hearing in 60-90 days and he thought he had cooperated providing numerous exhibits and many documents, (3/7 N.T. 11, 12, 13).

56) Mr. Moore was asked questions about his title related company Locust Abstract. He indicated he had not used that company since 1997 or 1998, (3/7 N.T. 14, 15).

57) He referenced Disciplinary Counsel's concerns about taxes and Mr. Moore indicated that all of his tax returns were filed and everything had been paid, (3/7 N.T. 15, 16, 17). Mr. Moore then went through the taxes listed in Disciplinary Counsel's letter which he said he had paid, (3/7 N.T. 17, 18).

58) Mr. Moore was questioned about Matrix Company which he said he created for real-estate management but only used it for one property (6607 Blakemore), (3/7 N.T. 21, 22). In reference to Red Oak Corporation, Mr. Moore indicated that did nothing with the corporation. He was trying to buy more properties on the same block back in the 2000s time period and was not successful. He also referenced Work Green which was created and really not used. He said that it still exists but is a shell. As to Wilsee Mo Enterprises, he indicated that is a corporation he used to market the books that he was writing and related materials. He said that still exists and is an active corporation but did not do a lot of business and noted that when he wrote the book it was during the Covid time period where everything was shut down, (3/7 N.T. 24, 25).

59) As to Jimmie Moore Consulting Business, that business was selling some of his art work. He had three pieces. Mr. Moore testified that the corporation does not exist anymore and the three art pieces have been sold, (3/7 N.T. 26, 27). As to Long Game Productions, Mr. Moore testified that he wanted to use that to make his book that he wrote, *Mississippi Champagne*, into a movie, but he said it never got anywhere but he is still trying to see if anyone is interested, (3/7 N.T. 27, 28). Mr. Moore then went through his real-estate holdings and when all of the properties were sold at various times, (3/7 N.T. 30, 31, 32).

60) Mr. Moore testified that some of the errors or omissions on his Reinstatement Questionnaire, he had corrected through the various letters sent to Disciplinary Counsel after the reinstatement was filed, (3/7 N.T. 36, 37, 38, 39).

61) Mr. Moore again went through his various taxes and said all of his taxes had been paid and he did not discharge them in bankruptcy, (3/7 N.T. 40, 41). Mr. Moore then discussed and summarized the various lawsuits there were filed against him, (3/7 N.T. 42-49). He explained how these matters have been resolved and paid, (3/7 N.T. 45-50).

62) Mr. Moore was then shown various City of Philadelphia tax suits against him and testified to his knowledge, all of those listed had been taken care of, (3/7 N.T. 51-55).

63) Mr. Moore then went through various liens from when he ran for Congress and before that and stated they have been paid, (3/7 N.T. 55-57). Mr. Moore testified that all of the liens, except the lien to the gas company, really owed by a tenant of his, have been taken care of, (3/7 N.T. 58, 59).

64) Mr. Moore testified that if he is reinstated, he intends to pay his taxes and to his knowledge, all of his taxes are current, (3/7 N.T. 60, 61).

65) The Petitioner presented a number of witnesses on his behalf as to his change and reform and his activities in the community and to his excellent character. These witnesses were as follows:

a. Jeffrey Miller, Esquire testified. Mr. Miller has been practicing law since 1970 and he represented Mr. Moore in his federal criminal case, (3/6 N.T. 50, 52, 53). Mr. Miller confirmed that Mr. Moore has accepted responsibility for his conduct and has expressed remorse, (3/6 N.T. 57). Mr. Miller confirmed Mr. Moore's excellent reputation in the community as a truthful and honest person and as a peaceful and law-abiding person, (3/6 N.T. 58, 59). Mr. Miller had no hesitation in recommending Mr. Moore's reinstatement to the practice of law, (3/6 N.T. 62, 63). Mr. Miller noted that Mr. Moore became a friend of his family and gave some examples, (3/6 N.T. 60, 61).

b. Wadud Ahmed, Esquire testified. He has been practicing law for 21 years and has known Mr. Moore since Mr. Moore was a judge and noted how Mr. Moore was instrumental in training him, particularly when he was a young prosecutor in his courtroom, (3/6 N.T. 80, 81). He confirmed Mr. Moore accepted responsibility and had remorse for his misconduct, (3/6 N.T. 82, 83). He confirmed Mr. Moore's excellent reputation in the community as a truthful and honest person and as a peaceful and law-abiding person, (3/6 N.T. 83, 84). Mr. Ahmed indicated he would have no hesitation in recommending Mr. Moore's reinstatement to the practice of law, (3/6 N.T. 85, 86).

c. Reverend Dr. Damone B. Jones, Sr., testified. He is a senior pastor at Bible Way Baptist Church in West Philadelphia. He has been the pastor there for 30 years, (3/6 N.T. 112). The pastor indicated that Mr. Moore has been a member of his church for many years. He confirmed that Mr. Moore accepted responsibility for his misconduct, (3/6 N.T. 114). The pastor confirmed Mr. Moore's participation in the twice a month basketball program the pastor runs in the prison for teenagers who have been arrested in Philadelphia but charged as adults. He said currently that he and Mr. Moore are working with eleven boys. He and Mr. Moore go twice a month to play basketball with the kids and then have mentoring sessions. He said that Mr. Moore will continue his participation, (3/6 N.T. 114-116). The

pastor confirmed that Mr. Moore has an excellent reputation in the community as a truthful and honest person and as a peaceful and law-abiding person, (3/6 N.T. 116, 117). He had no hesitation in recommending Mr. Moore's reinstatement to the practice of law, (3/6 N.T. 117, 118).

d. Sarah Lewis testified for Mr. Moore, (3/6 N.T. 133, 134). She testified that he has been a long-time friend of Jimmie Moore and actually helped him when he ran for judge. She said that she still sees and talks to him with regularity. Mr. Moore helps her out and has regular phone contact with her and helps young people in the community, (3/6 N.T. 134-136). She referenced many activities Mr. Moore has in the community including speaking at the William Kelly School, working with alley cleanups, taking people in the community like herself to the doctors. She also noted he is involved with the food banks, (3/6 N.T. 135-137). She confirmed that Mr. Moore accepted responsibility for his misconduct, (3/6 N.T. 139). She testified as to Mr. Moore's excellent reputation in the community as a peaceful and law-abiding person and as a truthful and honest person, (3/6 N.T. 140, 141).

e. Rose Harper testified. Ms. Harper has been involved in the community and is now retired. She used to work as a retirement consultant. She has worked at the Philadelphia Council for the Community Advancement for over 40 years and has

worked for Mr. Moore on that organization, (3/6 N.T. 157, 158). Ms. Harper confirmed that Mr. Moore is still involved in the community, (3/6 N.T. 159). She confirmed Mr. Moore's excellent reputation in the community as a truthful and honest person and as a peaceful and law-abiding person, (3/6 N.T. 159, 160). She confirmed Mr. Moore fully accepts responsibility for his misconduct, (3/6 N.T. 160). She confirmed that she has no hesitation in recommending Mr. Moore's reinstatement to the practice of law, (3/6 N.T. 161).

f. Marcus Brandt testified. He is an adjunct professor in architecture but spends a great deal of time working on the Tall Ships in Philadelphia Port, (3/6 N.T. 185). Mr. Brandt testified that he has known Jimmie Moore for about two to three years when Jimmie Moore came to Penns Landing and volunteered to work on the Tall Ships. He indicated the program with the Tall Ships involves repairing the ships but it also is an outreach program for the young people in Philadelphia, (3/6 N.T. 186, 187). Mr. Brandt confirmed Mr. Moore has volunteered to work on the ships and does everything from scraping paint, cleaning items and has helped connect the ship program with other people in Philadelphia and has helped advocating with the young people of Philadelphia, (3/6 N.T. 187, 188). Mr. Brandt testified that he a member of the Board with the Tall Ship Corporation and also Chairman of the Marine Committee which is

charged with the care of the old boats, (3/6 N.T. 188). Mr. Brandt confirmed that Mr. Moore has been there working on the boat at least once a month, sometimes more, (3/6 N.T. 189). Mr. Brandt confirmed that Mr. Moore will continue to work on the boats for the indefinite future, (3/6 N.T. 190, 191).

g. Attorney James McEldrew, III testified. Mr. McEldrew has been practicing law for 42 years. He indicated that he met Mr. Moore many years ago and they have become very close friends, (3/6 N.T. 200, 201, 202). Mr. McEldrew testified that Mr. Moore accepted full responsibility for his misconduct, (3/6 N.T. 203, 204). Mr. McEldrew is the former President of the Philadelphia Trial Lawyers and served on the Board of Directors of the Pennsylvania Trial Lawyers in the past and confirmed that Mr. Moore's reputation in the community as a truthful and honest person and as a peaceful and law-abiding person is excellent, (3/6 N.T. 205-207). He had no hesitation in recommending Mr. Moore's reinstatement, (3/6 N.T. 208, 209). Mr. McEldrew was questioned by Disciplinary Counsel about the referral checks in the small cases paid to Mr. Moore when he had been placed on retired status in October of 2017, (3/6 N.T. 220-227). Mr. Stretton noted the confusion in that time period about whether Mr. Moore was on retired status, (3/6 N.T. 225, 226).

h. Khadijah Aziz testified. Ms. Aziz was Mr. Moore's judicial secretary when he was a judicial officer, (3/6 N.T.

237, 238). She confirmed Mr. Moore's excellent reputation in the community as a truthful and honest person and as a peaceful and law-abiding person, (3/6 N.T. 241, 242). She confirmed that Mr. Moore used to teach paralegal programs at Eastern College, (3/6 N.T. 242). She also mentioned Mr. Moore's involvement with the Young Empowerment Program, particularly in terms of aviation, (3/6 N.T. 243). She indicated that she had no hesitation in recommending Mr. Moore's reinstatement to the practice of law, (3/6 N.T. 245).

i. Kawana Shaw testified, (3/6 N.T. 247). She testified that Mr. Moore has been a mentor for her since 2009, (3/6 N.T. 258, 259). She indicated that he is an active member of her Board working in the community. She confirmed that Mr. Moore is involved with the community and young people in the community, (3/6 N.T. 260, 261). She confirmed Mr. Moore's excellent reputation in the community as a peaceful and law-abiding person and as a truthful and honest person, (3/6 N.T. 263).

66) The Hearing Committee recommends the reinstatement of Jimmie Moore to the practice of law since he has proven by clear and convincing evidence that he has met the requirements to return to the practice of law as set forth in Pennsylvania Rules of Disciplinary Enforcement, Rule 218(c)(3).

67) The Petitioner, Jimmie Moore, has demonstrated by clear and convincing evidence that he has the moral qualifications, competency and learning in the law required for admission to practice law in the Commonwealth of Pennsylvania and he has further demonstrated by clear and convincing evidence that his resumption to the practice of law within the Commonwealth will be neither detrimental to the integrity and standing of the bar or administration of justice nor subversive of the public interest.

IV. ARGUMENT

A) The Petitioner, Jimmie Moore, has met his burden of proof by clear and convincing evidence that he should be reinstated to the practice of law and has demonstrated the change, remorse and reform for reinstatement to the practice of law.

The Petitioner, Jimmie Moore, respectfully requests this Honorable Hearing Committee recommend his reinstatement to the practice of law in the Commonwealth of Pennsylvania to the Disciplinary Board of Pennsylvania and to the Pennsylvania Supreme Court. Mr. Moore respectfully contends that he has proven by clear and convincing evidence that he has made the changes and reforms necessary since his misconduct and has met his burden of proof pursuant to Pennsylvania Rules of Disciplinary Enforcement, Rule 218(c)(3).

Mr. Moore during the two days of the reinstatement hearing, presented an impressive list of character witnesses. The witnesses noted Mr. Moore's current excellent reputation in the community as a peaceful and law-abiding person and as a truthful and honest person. The witnesses were aware of his misconduct and the nature of it. The witnesses ranged from pastors, community activists, former secretary, neighbors in the community and lawyers. No one had any hesitation in recommending

Jimmie Moore's reinstatement to the practice of law due to his change and reform.

Mr. Moore also met the requirements for currency in his knowledge in the law. During his suspension, Mr. Moore had taken the required 36 hours of courses, 12 of which must be ethics, and bridge the gap. This was unrefuted. In fact, he took extra hours and had actually 53 hours of CLEs. He also noted he reads the Legal Intelligencer and kept up on case law.

Mr. Moore also has done qualitative rehabilitation. He works with the pastor in going to the prisons two days each month to work with young men who are incarcerated but charged as adults. They play basketball with them and then have mentoring programs to teach them and to help them reform and change their lives. He also has worked in a program in the Northeast with aviation and young people, getting young people involved in the aviation type of careers. For the last year and a half, he has worked on the Tall Ship program going down there at least once a month if not more to work all days on the Tall Ships and to work on their programs with young people. Mr. Moore, as seen from the testimony, has been involved in helping neighbors in the community. People from the community confirmed his activities, helping them, taking them to doctors, things of that nature. Mr. Moore, during his suspension, has been writing novels. He has completed one and is trying to get a screen play and he is

writing another one. One is published and the second will be at some point also.

A detailed summary of the testimony presented during the disciplinary trial is set forth in the *Proposed Findings of Fact and Conclusions of Law* section of this Brief with citations to the trial record. Because of the work limitation of 10,000 words that will not be reiterated but will be referenced briefly in the *Argument* section.

The evidence is unrefuted that Jimmie Moore was admitted to practice law in 1976. He practiced law in Philadelphia County until 1999 when he ran for judicial office and was an elected Judge of Municipal Court. He then served ten years on the bench but left the bench in 2011. As a lawyer, he had mainly a civil practice though he did some criminal work. He was very involved in the community and in the political community in the past. He had no prior history of discipline either as a judge or as an attorney.

His problems began when he decided to run for Congress in the race of 2012 for the First Congressional District, that was then held by Robert Brady who was also the Chairman of the Philadelphia Democratic Party. Mr. Moore foolishly resigned his judgeship early and let everyone know his intentions. As a result, the district was jerrymandered from an all-black district to a district that included Swarthmore. He began the

race but quickly realized he did not have enough money to truly compete and was not raising enough money. He also was not able to pay his staff and some consultants.

As a result, he met with Mr. Brady in a meeting organized by Wilson Good, the former Mayor of Philadelphia and a close friend of Mr. Moore. Mr. Brady enticed Mr. Moore to get out of the race and indicated that he would pay \$90,000.00 so he could have pay off his campaign expenses and things of that nature. Mr. Brady's staff then met with Mr. Moore separately. The misconduct occurred in the way that Mr. Moore was paid the \$90,000.00, through a bogus corporation and bogus invoices. The criminality occurred when his campaign reports were filed listing false expenses. It would have been illegal for Mr. Brady to pay him \$90,000.00 outright. Mr. Moore then had his campaign manager, who at that point was his girlfriend, sign the campaign documents. He then dropped out of the race.

From 2012 until 2017, he barely practiced law and was just involved in the community. He was living on his judicial pension. For some reason the government took a long time to investigate this case. In 2017, the FBI approached Mr. Moore. Mr. Moore then agreed to cooperate and accepted full responsibility. Mr. Moore then wore a wire against Mr. Solomon and testified against Mr. Solomon in a jury trial on behalf of the government. Mr. Moore pled guilty to false campaign reports

and was sentenced to two years' probation which he has completed. Somewhat surprisingly, Mr. Brady was never charged in these matters.

Mr. Moore testified, as did all of his witnesses, that he has accepted full and complete responsibility for his misconduct. He also showed remorse and testified to his remorse and reform.

Mr. Moore then made two other mistakes. After he returned to the bench as a senior judge, once the FBI approached him and he was aware that there was an actual criminal investigation, he should have notified the Chief Justice and the AOPC as required by Pennsylvania Rules of Judicial Administration. Mr. Moore did not do that and testified he was not aware of this Rule. His attorneys were also not aware of the Rule and did not tell him. The second mistake that Mr. Moore was he had referred two relatively minor cases to Attorney James McEldrew and received referral fees of a small amount. The problem was, when he referred the fees out, he thought he was active status still as a lawyer, when in fact, when he left the senior judgeship, he had been placed on retired status. Though letters were sent to him about this status, he was in Costa Rica at that time and never received the letters. Therefore, he thought he could refer cases and receive a referral fee. He did receive the two referral fees. But there was no intent on his part to violate

the law and he was not aware he had been placed on retired status when he left the senior judgeship.

Mr. Moore had cooperated with the Office of Disciplinary Counsel and accepted and admitted his misconduct. He went to a hearing on the nature of discipline. Ultimately, the Supreme Court of Pennsylvania ordered a four-year suspension retroactive to his interim suspension on May 13th, 2019.

Although Mr. Moore's misconduct is obviously serious and somewhat shocking, it is clear that the evidence is unrefuted that he has changed and reformed. There was not one adverse witness presented against him by the Office of Disciplinary Counsel.

In a reinstatement hearing, one has to look at the broad picture. The broad picture here shows Mr. Moore to be very sorry and remorseful for his misconduct and has accepted full responsibility as noted by his guilty plea and cooperation. He acted very responsibly during his years of probation. He was also involved in excellent charitable activities. He has presented excellent character testimony. The case law is clear in Pennsylvania that minor mistakes or inconsistencies will not necessarily prevent a reinstatement. The burden of proof, which Mr. Moore has met, is set forth in Pennsylvania Rules of Disciplinary Enforcement, Rule 218(c)(3).

"A disbarred or suspended lawyer shall have the burden of demonstrating by clear and convincing evidence that such person has the moral qualifications, competency and learning in the law required for admission to practice law in the Commonwealth of Pennsylvania and that the resumption of the practice of law within the Commonwealth by such a person will be neither detrimental to the integrity or standing of the bar or the administration of justice nor subversive of the public interest," Pennsylvania Rules of Disciplinary Enforcement, Rule 218(c)(3).

Mr. Moore contends that he has clearly met this burden through the testimony of his excellent character witnesses, his own testimony, and the exhibits presented.

In evaluating a reinstatement request, the case of Philadelphia News, Inc. v. Disciplinary Board 363 A.2d 779 (Pa., 1976) must be considered. That case sets forth in the objectives of a reinstatement proceeding.

"A reinstatement proceeding is a searching inquiry into a lawyer's professional and moral fitness to resume the practice of law. The objective concern is not solely the transgressions that give rise to the lawyer's suspension or disbarment, but rather the nature and extent of the rehabilitative efforts he has made since that time the sanctions were imposed and the degree of success achieved in the rehabilitative process," Id 71.

The Pennsylvania Supreme Court in the same case, in footnote no. 6, emphasized it is the attorney's conduct since the suspension or disbarment that should be the focus of the reinstatement proceeding and not the underlying misconduct.

"While egregiousness of a disbarred lawyer's offense certainly has a bearing on whether reinstatement is warranted, nevertheless, the main thrust of the

proceeding is whether the disciplined lawyer is now fit and technically competent to engage in the practice of law," Id 781, footnote no. 6.

Mr. Moore contends that he has met that burden as set forth in Pennsylvania Rules of Disciplinary Enforcement, Rule 218(c)(3) and the aforementioned Philadelphia News, Inc. case. He has taken the courses and reads regularly in the law. He has presented excellent character testimony.

Some of the factors for reinstatement for a suspended lawyer are noted in the case of In Re: Anonymous 23 D&C 4th, 187 (1994).

"Testimony presented by the petitioner, attorney A, and the character reference letters of the attorneys who are familiar with the petitioner and his activities during the course of the term of his suspension are evidence of his moral character. The petitioner, has proved his moral fitness through the presentation of testimony by attorneys, has been sanctioned in the past reinstatement cases --- the petitioner has demonstrated his competency and learning in the law by his own testimony and that of Attorney A testified on his own behalf," Id 190, 191.

Though Mr. Moore's conduct was serious, there are ample cases where the most serious misconduct has resulted in reinstatement. The case of In the Matter of Lord 910 A.2d 1 (Pa., 2006) the Pennsylvania Supreme Court reinstated attorney John Lord. He had been a partner in a major law firm and fabricated clients' billings. He had a severe alcohol problem which he later overcame. He was originally suspended from the practice of law and then disbarred after he engaged in the

unauthorized practice of law. He worked as a paralegal during his disbarment. He presented character witnesses and expressed remorse and reform. His reinstatement was granted.

In the case of In the Matter of Michael Simon Supreme Court Docket No. 214 DD No. 3, Disciplinary Board No. 149 DB 2005 (2014), Mr. Simon, who embezzled approximately \$700,000.00 from approximately 40 clients over a two-year period because he said he wanted to live a more lavish lifestyle was disbarred. He was only able to make restitution because his mother was wealthy. Despite that, Mr. Simon was reinstated. He expressed remorse and reform, presented excellent character testimony and performed community service. Mr. Moore had serious misconduct and presented far more rehabilitative community activities than Mr. Simon and Mr. Moore has expressed remorse and presented excellent character witnesses.

In the case of In Re: Verlin 731 A.2d 600 (Pa., 1999), Mr. Verlin, who was a former Disciplinary Board Hearing Committee Member, was reinstated after seven years despite serious misconduct for which he was criminally convicted of, of hiring actors to pretend they were litigants in underlying personal injury cases. He was disbarred. Yet, he was reinstated based on excellent character testimony and change and reform and remorse.

In the case of In Re: Anonymous 19 D&C 4th, 473 (1994), an attorney was involved in a bribery scheme and disbarred. He was

then reinstated again as the Board recognized his excellent character testimony, his change and reform and the fact that he had gainful employment.

In the case of In Re Joseph Rydzewski Supreme Court Docket No. 287 DD 3 (2004), Mr. Rydzewski was reinstated even though he had stolen over half a million dollars of legal fees from his law firm where he was a partner. He has been convicted in both federal and state courts for stealing the monies. He was reinstated on the basis of character testimony and his own testimony as to his change and reform.

In the case of In Re Perrone 899 A.2d 1108 (Pa., 2006) Mr. Perrone was convicted and disbarred for submitting false vouchers for fees in court appointment criminal cases in Philadelphia County of over \$140,000.00. He was subsequently reinstated to the practice of law and the court noted his change and reform and excellent character testimony.

The most recent reinstatement involves In Re Kenneth Rubin Supreme Court Docket No. 1476 DD No. 3, Disciplinary Board No. 192 DB 2008 (2024). Mr. Rubin, over a period of five or six years, had misused and stolen funds of numerous clients. He was disbarred as a result. He was denied reinstatement the first time since he had not made any real effort to find and locate the clients he owed money to. He was recently reinstated based

on excellent character testimony and his acceptance of responsibility and his change and reform.

Therefore, even though Mr. Moore was found in violation of serious disciplinary violations from the criminal conviction and his four-year suspension, this would not bar this readmission to the practice of law as long as he has met his burden of proof, which Mr. Moore contends that he has.

As noted earlier, Disciplinary Counsel has pointed out that Mr. Moore received minor referral fees from Attorney McEldrew when he referred the cases during the time he was on retired status. But Mr. Moore testified he had no intent to do wrong and did not realize he was on retired status. He had completed his senior judgeship and did not receive the letters notifying him of being placed on retirement status since he was in Costa Rica for a number of months writing his first novel. The issue was also raised why Mr. Moore did not contact the Chief Justice and AOPC when he was contacted by the FBI in 2017, as he knew at that point that he was under criminal investigation. Mr. Moore acknowledges that he was wrong but said that he was not aware of the Rule nor were his attorneys.

Disciplinary Counsel has raised a number of issues about Mr. Moore not including everything in his reinstatement questionnaire and not cooperating. But as noted from the *Findings of Fact and Conclusions of Law* section, Mr. Moore went

through and supplied corrections to Disciplinary Counsel after his reinstatement was filed. Mr. Moore through Mr. Stretton, filed numerous documents supplementing and correcting his reinstatement questionnaire. Disciplinary Counsel raised the fact that Mr. Moore in a letter of September 2023 indicated he would not cooperate with the requests. Mr. Moore testified that he had received numerous letters from Disciplinary Counsel which he had cooperated with and he just wanted to get to a hearing. Whether he was right or wrong, there was certainly no harm to the Office of Disciplinary Counsel.

Mr. Moore testified and noted his taxes were paid, his fines were taken care of and the only thing outstanding to his knowledge was a PECO bill which a tenant of his did not pay which he was not initially aware of.

Errors on the reinstatement form are not by themselves, necessarily fatal. There are a number of cases where people have been readmitted even though they left out issues on their reinstatement form or did not completely fill the form out. Some of the cases are as follows.

In the case of In Re Maria Del Sol Morell Supreme Court Docket No. 694 DD No. 3, Disciplinary Board No. 136 DB 2001 (2017), Ms. Morell had been suspended from the practice of law due to filing false mortgage papers. She was reinstated to the practice of law even though she failed to list a number of

judgements on her reinstatement questionnaire. She corrected these and the Court allowed it and the Court granted her reinstatement in 2017.

In the case of In Re: Anonymous 29 D&C 3rd, 407 (1984), an elderly attorney sought reinstatement. Unfortunately, in his reinstatement questionnaire he failed to list 40-50 outstanding judgements. Despite that serious omission he was readmitted to the practice of law. Despite the omission he said he was remorseful and he presented excellent character testimony and evidence of reform.

In the case of In the Matter of Richard Moore Supreme Court Docket No. 1971 DD No. 3, Disciplinary Board No. 153 DB 2003 (2009), Mr. Moore was reinstated after a two-year suspension despite continuing to list himself as an attorney on his tax returns. He also had taken excessive fees on estates and then continued to handle estates as the executor even though he was not supposed to do so once suspended. Despite that, the Disciplinary Board found that he had met the qualifications for reinstatement through his excellent character testimony and acceptance of responsibility.

In the case of In the Matter of Schofield Supreme Court Docket 2089 DD No. 3, Disciplinary Board 25 DB 1997 (2004), Mr. Schofield was reinstated to the practice of law despite the fact that he owed \$26,500.00 to the IRS.

In the case of In the Matter of Abrams Supreme Court Docket No. 482 DD No. 2, Disciplinary Board 25 DB 1985 (2005), Mr. Abrams was reinstated to the practice of law despite the fact that he had not removed his listings as an attorney and he had disbursed checks to former clients after being suspended. The Disciplinary Board noted as follows:

"The petitioner engaged in a few missteps during his rehabilitative process, but the consideration of these matters show them to be minor and not an impediment to be reinstated," see Abrams.

The classic case is the case of In the Matter of Robert Creem 184 DB 2004 (2008). Mr. Creem was suspended for two years for misuse of clients' funds. He was ultimately reinstated by the Pennsylvania Supreme Court. But during that reinstatement process, Mr. Creem failed to list a number of judgements. He also retyped the reinstatement questionnaire and changed some of the wording. He also owed federal taxes and had not paid any or made any effort to do so during his suspension. Further, during his suspension he did not seek any job or income. Despite that, the Disciplinary Board unanimously recommended his reinstatement and found him to give credible testimony concerning his financial status. The Disciplinary Board noted Mr. Creem had made errors on his reinstatement questionnaire. The Disciplinary Board also noted Mr. Creem had failed to list all of his income. The Disciplinary Board noted he should have been more careful in

filling out the questionnaire the Board noted the judgements and errors did not rise to the level to justify denial of his reinstatement. The Board noted Mr. Creem's cooperation with the Office of Disciplinary Counsel. The Disciplinary Board, in Mr. Creem's case, looked at the broader picture.

In the aforementioned case of In Re Kenneth Rubin, Mr. Rubin's first reinstatement questionnaire left out numerous issues which he had to correct. Despite that, he was reinstated to the practice of law.

The bottom line is looking at the entire picture and the evidence is clear that Mr. Moore has changed and reformed. He has expressed remorse. He has accepted responsibility. He has done qualitative rehabilitation. He presented excellent character witnesses. He is helping and devoting a good part of his life to helping young people. Therefore, he has met his burden of proof to show that he is ready to return to the practice of law. He did have some health issues, none of them would prevent him from practicing law. Although he has indicated he does not want to return full-time because of his age of 73, there is nothing wrong with him practicing on a part-time basis or just helping people here and there. He is asking for a full reinstatement and there is no such thing as a qualified reinstatement. In conclusion, Mr. Moore respectfully requests

this Honorable Hearing Committee recommend his reinstatement to the practice of law for all of the reasons stated in this Brief.

V. CONCLUSION

The Petitioner, Jimmie Moore, by his counsel Samuel C. Stretton, Esquire, respectfully requests this Honorable Hearing Committee recommend to the Disciplinary Board of the Supreme Court of Pennsylvania and to the Supreme Court of Pennsylvania that Jimmie Moore has met his burden of proof and that he should be reinstated to the practice of law.

Respectfully submitted,


s/Samuel C. Stretton

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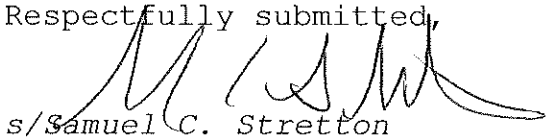
BEFORE THE DISCIPLINARY BOARD
OF THE SUPREME COURT OF PENNSYLVANIA

IN THE MATTER OF	:	DOCKET NO. 2608 DD NO. 3
JIMMIE MOORE	:	87 DB 2019
PETITION FOR REINSTATEMENT	:	ATTORNEY REGISTRATION NO.
	:	24513 (PHILADELPHIA)

CERTIFICATE OF COMPLIANCE

I, Samuel C. Stretton, Esquire, certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully submitted,


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EXHIBIT "A"

BEFORE THE DISCIPLINARY BOARD
OF THE SUPREME COURT OF PENNSYLVANIA

IN THE MATTER OF	:	DOCKET NO. 2608 DD NO. 3
JIMMIE MOORE	:	87 DB 2019
PETITION FOR REINSTATEMENT	:	ATTORNEY REGISTRATION NO.
	:	24513 (PHILADELPHIA)

CERTIFICATE OF WORD COUNT

I, Samuel C. Stretton, Esquire, certify that this filing complies with the word count limitations of the Disciplinary Board of the Supreme Court since this Brief contains 9,943 words.

Respectfully submitted,


s/Samuel C. Stretton

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EXHIBIT "B"

BEFORE THE DISCIPLINARY BOARD
OF THE SUPREME COURT OF PENNSYLVANIA

IN THE MATTER OF	:	DOCKET NO. 2608 DD NO. 3
JIMMIE MOORE	:	87 DB 2019
PETITION FOR REINSTATEMENT	:	ATTORNEY REGISTRATION NO.
	:	24513 (PHILADELPHIA)

CERTIFICATE OF SERVICE

I hereby certify I am this date serving a copy of the
Petitioner's Brief to the Hearing Committee in the captioned
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