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DISTRICT OF COLUMBIA COURT OF APPEALS

No. 13-BG-38

IN RE: JAMES C. UNDERHILL, JR.,
Respondent.

Bar Registration No. 297762

BDN: 388-12

BEFORE: Blackburne-Rigsby, Associate Judge, and Newman and Ferren,
Senior Judges.

ORDER

(FILED - November 5, 2015)

On consideration of the certified order revoking respondent's previously imposed probation in the state of Colorado and reinstating the previously stayed three-month and one-day suspension with reinstatement contingent on his filing a petition for reinstatement, this court August 25, 2015, order suspending respondent pending further action of the court and directing him to show cause why reciprocal discipline should not be imposed, and the statement of Bar Counsel regarding reciprocal discipline, and it appearing that respondent has failed to file a response to this court's order to show cause or an affidavit as required by D.C. Bar R. XI § 14 (g), it is

ORDERED that the probation imposed on James C. Underhill, Jr., is hereby revoked and he is hereby suspended from the practice of law in the District of Columbia for a period of three months and one day with reinstatement condition on a showing of fitness. *See In re Sibley*, 990 A.2d 483 (D.C. 2010), and *In re Fuller*, 930 A.2d 194, 198 (D.C. 2007) (rebuttable presumption of identical reciprocal discipline applies to all cases in which the respondent does not participate). It is

FURTHER ORDERED that for purposes of reinstatement the period of respondent's suspension will not begin to run until such time as he files a D.C. Bar R. XI, § 14 (g) affidavit.

PER CURIAM