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DISTRICT OF COLUMBIA COURT OF APPEALS

Nos. 14-BG-1143 & 15-BG-400

IN RE: MARK A. SGARLATA,
Respondent.

Bar Registration No. 418557

BDN: 247-14 & BDN: 33-15

BEFORE: Thompson, Associate Judge, and Nebeker and Farrell, Senior Judges.

ORDER

(FILED – July 23, 2015)

On consideration of the certified order revoking respondent's license to practice law in the state of Virginia, this court's May 18, 2015, order suspending respondent pending further action of the court and directing him to show cause why the functional equivalent reciprocal discipline in the form of disbarment should not be imposed, and the statement of Bar Counsel regarding reciprocal discipline, it appearing that respondent has failed to file a response to this court's order to show cause or the affidavit required by D.C. Bar R. XI, §14 (g), and it further appearing that respondent has a separate pending bar disciplinary matter, no. 14-BG-1143, that involves the same criminal conviction, it is

ORDERED that Mark A. Sgarlata is hereby disbarred from the practice of law in the District of Columbia. *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 bar disciplinary case no. 14-BG-1143 is hereby dismissed as moot. It is

Nos. 14-BG 1143 & 15-BG-400

FURTHER ORDERED that for purposes of reinstatement the period that must pass before one is eligible to file for reinstatement will not begin to run until such time as he files a D.C. Bar. R. XI, § 14 (g) affidavit.

PER CURIAM