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**DISTRICT OF COLUMBIA COURT OF APPEALS**

No. 98-BG-1472

IN RE MICHAEL ABBELL, RESPONDENT.

A Member of the Bar of the  
District of Columbia Court of Appeals

On Report and Recommendation of the  
Board on Professional Responsibility  
(BDN397-98)

(Submitted January 7, 2003)

Decided January 16, 2003)

Before WAGNER, *Chief Judge*, and SCHWELB and REID, *Associate Judges*.

PER CURIAM: Michael Abbell, a member of our Bar, was found guilty by a jury in the United States District Court for the Southern District of Florida of conspiracy to launder money and of RICO conspiracy. *See* 18 U.S.C. §§ 1956, 1961 *et seq.* (2000). The district court upheld the money laundering conspiracy conviction, but granted Abbell's motion for judgment of acquittal as to the RICO conspiracy. Both Abbell and the government appealed, and in *United States v. Abbell*, 271 F.3d 1286 (11th Cir. 2001), the court affirmed the laundering conspiracy conviction and reinstated the RICO conspiracy conviction. On October 7, 2002, the Supreme Court denied Abbell's petition for *certiorari*. *Abbell v. United States*, 123 S. Ct. 74 (2002).

On July 16, 2002, the Board on Professional Responsibility, noting that "Bar Counsel and Respondent appear to agree that Respondent's RICO [conspiracy] conviction involves moral turpitude *per se*," recommended that Abbell be disbarred pursuant to D.C. Code § 11-2503 (a) for conviction of a crime of moral turpitude. The Board continued:

Respondent opposes Bar Counsel's motion, urging that the Board and Court defer action on the RICO conviction until the Eleventh Circuit rules on Respondent's pending motion for rehearing *en banc*. Respondent concedes that, if his appeal efforts ultimately fail, his "disbarment will likely be inevitable and uncontested."<sup>[1]</sup>

As previously noted, the Supreme Court has now denied Abbell's petition for *certiorari*.

Neither Bar Counsel nor Abbell has excepted to the Board's recommendation,<sup>2</sup> which, in any event, § 11-2503 (a) requires us to follow in this case. Accordingly, Michael Abbell is hereby disbarred from the practice of law in the District of Columbia; for purposes of reinstatement, his disbarment shall run from the date he files a satisfactory affidavit pursuant to D.C. App. R. XI, § 14 (g).<sup>3</sup>

*So ordered.*

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<sup>1</sup> Relying on *In re Bereano*, 719 A.2d 98, 98 n.1 (D.C. 1998), the Board correctly noted that the pendency of a petition for discretionary review does not affect the finality of a conviction for disbarment purposes.

<sup>2</sup> Counsel for Abbell filed a motion for leave to make an untimely request for oral argument, but as Abbell had not filed exceptions or a brief, and because "points not urged in a party's initial brief are deemed abandoned," *In re Shearin*, 764 A.2d 774, 778 (D.C. 2001), and may not be raised in oral argument, *id.*, the court denied the motion.

<sup>3</sup> In a footnote to its Report the Board stated:

Respondent filed an affidavit pursuant to D.C. App. R. XI, § 14(g) on November 16, 1998. In the affidavit, Respondent has not demonstrated that he has notified clients in non-litigated matters of his compliance with the [c]ourt's order of interim suspension.