Notice: This opinion is subject to formal revision before publication in the Atlantic and Maryland Reporters. Users are requested to notify the Clerk of the Court of any formal errors so that corrections may be made before the bound volumes go to press.

## DISTRICT OF COLUMBIA COURT OF APPEALS

## No. 18-BG-7

IN RE BARLOW SMITH

03/22/2018 FILED District of Columbia Court of Appeals Castl o Castillo Court

2017 DDN 194

An Inactive Member of the Bar of the District of Columbia Court of Appeals

Bar Registration No. 972695

BEFORE: Fisher, Beckwith, and McLeese, Associate Judges.

## **O R D E R**

(FILED – March 22, 2018)

On consideration of the certified order accepting respondent's resignation from the practice of law in the state of Texas in lieu of discipline; this court's January 10, 2018, order suspending respondent pending disposition of this case and directing him to show cause why the functionally-equivalent reciprocal discipline of a five-year suspension with a fitness requirement should not be imposed; the statement of Disciplinary Counsel; and it appearing that respondent did not file a response to this court's show cause order or the required D.C. Bar R. XI, § 14 (g) affidavit, it is

ORDERED that Barlow Smith is hereby suspended from the practice of law in the District of Columbia for a period of five years with a fitness requirement. *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 eligibility to petition for reinstatement the suspension will not begin to run until such time as respondent files a D.C. Bar R. XI, § 14 (g) affidavit.

## PER CURIAM