

NOTICE TO THE BAR

**DEFAULTS SCHEDULED FOR REVIEW
BY THE DISCIPLINARY REVIEW BOARD
THURSDAY, JULY 25, 2024**

The following matters have been certified to the Disciplinary Review Board as defaults, in accordance with R. 1:20-4(f):

In the Matter of John Michael Falzone, Jr.

Docket No. DRB 24-104

District Docket No. XIV-2023-0044E

In the Matter of Darryl George Smith

Docket No. DRB 24-106

District Docket No. VI-2022-0002E

In the Matter of Santo V. Artusa, Jr.

Docket No. DRB 24-108

District Docket No. VI-2022-0006E

These matters are scheduled to be reviewed by the Board on **Thursday, July 25, 2024**. R. 1:20-4(f) provides that an attorney-respondent's failure to timely file an answer "shall be deemed an admission that the allegations of the complaint are true and . . . provide sufficient basis for the imposition of discipline." Although chances for a successful motion are limited, a motion to vacate the default may be filed with the Board by no later than **June 24, 2024**. MOTIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED BY THE BOARD. The motion should specify why the attorney-respondent failed to file a timely answer (including lack of notice) and should set forth any claimed meritorious defenses to the ethics charges. The motion also must be

simultaneously served on the Director of the Office of Attorney Ethics and, where appropriate, the district ethics committee responsible for the underlying ethics matter. A certification regarding that service must accompany any documents filed with the Board.

Respondent is hereby advised that, generally, in a default matter, the discipline is enhanced to reflect a respondent's failure to cooperate with disciplinary authorities as an aggravating factor. In re Kivler, 193 N.J. 332, 338 (2008).

Respondent may communicate with the Board by contacting the Office of Board Counsel at:

P.O. Box 962, Trenton, NJ 08625, Telephone: 609-815-2920, E-Mail: DRB.MBX@njcourts.gov.

/s/ Timothy M. Ellis

Dated: June 7, 2024

Timothy M. Ellis
Chief Counsel
Disciplinary Review Board