

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN THE MATTER OF
JONATHAN B. ANDRY

MISCELLANEOUS
NO. 15-2478

ORDER

Respondent Jonathan Andry has filed an objection to the *En Banc* Court's Order of October 24, 2018 which suspended Respondent from the practice of law in this Court for a period of twelve months. Respondent argues that the Court should docket this matter for a hearing before imposing discipline. However, as explained in the October 24, 2018 Order, this matter has been thoroughly investigated. Andry was afforded an evidentiary hearing wherein the proper standard of proof was applied. Respondent appeared at the hearing, was offered an opportunity to testify, but declined to testify although he had previously submitted to a sworn statement by the Special Master. Applying a clear and convincing evidence standard, Judge Barbier made specific findings based on the evidence elicited at the hearing. Those findings were subsequently appealed and affirmed by the Fifth Circuit Court of Appeals. Pursuant to E.D.LA Rules for Lawyer Disciplinary Enforcement, Rule 6.3.4, in these circumstances the *En Banc* Court may "take such other action as the court deems appropriate."

In view of the investigation, hearing, findings, and appeal of the issues presented herein, the *En Banc* Court finds that another hearing is neither necessary nor warranted.

Accordingly,

IT IS ORDERED that Respondent's Objection to the October 24, 2018 Order is hereby OVERRULED.

IT IS FURTHER ORDERED that the Clerk shall immediately make the record in this matter public in accordance with Rule 10.1.2 of the Rules of Lawyer Disciplinary Enforcement.¹

New Orleans, Louisiana, this 28th day of November, 2018.


NANNETTE JOLIVETTE BROWN
CHIEF JUDGE
FOR THE EN BANC COURT²

¹ Pursuant to Rule 10.1.2, the record must be made public by the clerk of court no sooner than 20 days after the *en banc* court issues an order and reasons imposing public discipline. More than 20 days have elapsed since the court's Order of October 24, 2018.

² Judge Zainey recused.