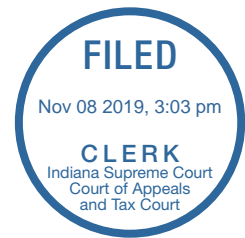


In the Indiana Supreme Court

In the Matter of: James Richard Fleming,
Respondent

Supreme Court Case No.
18S-DI-542



Published Judgment in Favor of Respondent

Upon review of the report of the hearing officer, the Honorable Robert C. Reiling, Jr., who was appointed by this Court to hear evidence on the Indiana Supreme Court Disciplinary Commission's verified disciplinary complaint, the Court finds that Respondent did not engage in professional misconduct and enters judgment for Respondent.

Charges: The Commission alleged that Respondent violated Indiana Professional Conduct Rule 3.4(b) by offering an inducement to a witness that is prohibited by law, and Rule 8.4(d) by engaging in conduct prejudicial to the administration of justice.

Discussion: The hearing officer concluded the Commission failed to meet its burden of proving that Respondent committed any professional misconduct, and the Commission has not filed a petition for review. "Where . . . the hearing officer's report is unchallenged, we accept and adopt the findings contained therein with the understanding that final determination as to disciplinary violations and sanction rests with this Court." Matter of Davis, 740 N.E.2d 855, 856 (Ind. 2001). Accordingly, we adopt and incorporate by reference the hearing officer's findings of fact, and on those findings we likewise conclude that the Commission has failed to prove either of the two charged rule violations.

The Court therefore **finds that the allegations of misconduct were not proven and enters judgment for Respondent.** The hearing officer appointed in this case is discharged.

Done at Indianapolis, Indiana, on 11/8/2019.

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

All Justices concur.