

SUPREME COURT OF NEW JERSEY
D-102 September Term 2008

IN THE MATTER OF

RICHARD H. KRESS,

AN ATTORNEY AT LAW

(Attorney No. 001461979)

O R D E R

The Office of Attorney Ethics having filed with the Court a petition seeking the immediate temporary suspension of **RICHARD H. KRESS** of **CLARK**, who was admitted to the bar of this State in 1979, and respondent thereafter having been disbarred by Order of the Court filed this date, for unethical conduct found in DRB 08-238;

And good cause appearing;

It is ORDERED that the petition for temporary suspension is dismissed as moot.

WITNESS, the Honorable Stuart Rabner, Chief Justice,
at Trenton, this 16th day of July, 2009.

CLERK OF THE SUPREME COURT

SUPREME COURT OF NEW JERSEY
D-106 September Term 2008

IN THE MATTER OF
RICHARD H. KRESS,
AN ATTORNEY AT LAW
(Attorney No. 001461979)

CORRECTED
O R D E R

The Disciplinary Review Board having filed with the Court its decision in DRB 08-238, recommending the disbarment of **RICHARD H. KRESS** of **CLARK**, who was admitted to the bar of this State in 1979, for violating RPC 1.15(a) and (c) (failure to safeguard funds), RPC 1.7(a) and (b) (conflict of interest), RPC 8.1(a) (prohibited business transaction), RPC 8.1(b) (failure to cooperate with ethics authorities), RPC 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and the principles of In re Wilson, 81 N.J. 451 (1979) (knowing misappropriation of client trust funds), and In re Hollendonner, 102 N.J. 21 (1985) (knowing misappropriation of escrow funds);

And **RICHARD H. KRESS** having been ordered to show cause why he should not be disbarred or otherwise disciplined;

And good cause appearing;

It is ORDERED that **RICHARD H. KRESS** be disbarred, effective immediately, and that his name be stricken from the roll of attorneys; and it is further

ORDERED that **RICHARD H. KRESS** be and hereby is permanently restrained and enjoined from practicing law; and it is further

ORDERED that all funds, if any, currently existing or hereinafter deposited in any New Jersey financial institution maintained by **RICHARD H. KRESS** pursuant to Rule 1:21-6 be restrained from disbursement except on application to this Court, for good cause shown, and shall be transferred by the financial

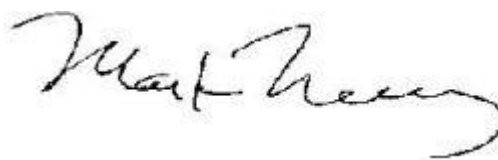
institution to the Clerk of the Superior Court, who is directed to deposit the funds in the Superior Court Trust Fund pending the further Order of this Court; and it is further

ORDERED that **RICHARD H. KRESS** comply with Rule 1:20-20 dealing with disbarred attorneys; and it is further

ORDERED that the entire record of this matter be made a permanent part of respondent's file as an attorney at law of this State; and it is further

ORDERED that respondent reimburse the Disciplinary Oversight Committee for appropriate administrative costs and actual expenses incurred in the prosecution of this matter, as provided in Rule 1:20-17.

WITNESS, the Honorable Stuart Rabner, Chief Justice,
at Trenton, this 16th day of July, 2009.

A handwritten signature in black ink, appearing to read "Stuart Rabner", is written in a cursive style.

CLERK OF THE SUPREME COURT

filed 7/31/09