

# DISCIPLINARY REVIEW BOARD

## OF THE SUPREME COURT OF NEW JERSEY

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ASSISTANT COUNSEL

April 22, 2014

### VIA CERTIFIED MAIL, R.R.R. & REGULAR MAIL

Stephen A. Traylor, Esq.  
c/o Nicholas R. Buttafuoco, Esq.  
Law Offices of Nicholas R. Buttafuoco, L.L.C.  
Park Professional Plaza  
2509 Park Ave. Suite 1-C  
South Plainfield, New Jersey 07080

Re: In the Matter of Stephen A. Traylor  
Docket No. DRB 13-166  
District Docket No. VII-2011-0035E

### LETTER OF ADMONITION

Dear Mr. Traylor:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Following a review of the record, the Board determined to impose an admonition.

Specifically, in May 2007, you were retained by Andersson Escalona, a Venezuelan native, for representation in his pending deportation proceedings. Escalona had overstayed his visa, which had expired on January 6, 2004. Although you and Escalona appeared before the immigration court on three separate occasions, you did not file a Petition for Alien Relative Form (I-130) until several

April 22, 2014

Page 2 of 3

days after Escalona was ordered deported. A day later, you also filed an appeal of the order of deportation. Although the appeal was denied, the petition was granted months later. You did not notify Escalona about the appeal's denial. Your conduct was unethical and a violation of RPC 1.3 and RPC 1.4(b).

In imposing only an admonition, the Board considered the difficulties with which you were faced, in light of the sequence of events in the matter and in light of the elevated burden of proof in Escalona's matter. Specifically, he was seeking to obtain permanent status while in the midst of deportation proceedings and had twice attempted to obtain permanent status by marrying an American citizen. The Board also considered that, because Escalona's subsequent counsel was unable to persuade the government to file a joint motion to reopen the case, the granting of the petition did not save him from deportation. Finally, the Board noted that this is your first encounter with the disciplinary system in your thirty years of practice.

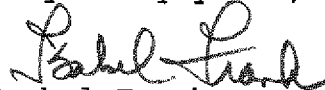
The Board dismissed the remaining charges for lack of clear and convincing evidence.

Your conduct adversely reflected not only upon you as an attorney, but also upon all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. R. 1:20-15(f)(4).

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, it will be taken into consideration.

The Board has also directed that the cost of the disciplinary proceedings be assessed against you. An invoice of costs will be forwarded under separate cover.

Very truly yours,



Isabel Frank  
Acting Chief Counsel

IF/tk

In the Matter of Stephen A. Traylor, DRB 13-166

April 22, 2014

Page 3 of 3

c: Chief Justice Stuart Rabner  
Associate Justices  
Bonnie C. Frost, Chair  
Disciplinary Review Board (via email)  
Mark Neary, Clerk  
Supreme Court of New Jersey  
Gail G. Haney, Deputy Clerk  
Supreme Court of New Jersey (w/ethics history)  
Jennifer Weisberg Millner, Chair  
District VII Ethics Committee  
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Andersson Escalona, Grievant

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Page 3 of 3

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