

**DISCIPLINARY REVIEW BOARD
OF THE
SUPREME COURT OF NEW JERSEY**

BRUCE W. CLARK, ESQ., CHAIR
HON. MAURICE J. GALLIPOLI, VICE-CHAIR
PETER J. BOYER, ESQ.
THOMAS J. HOBERMAN
REGINA WAYNES JOSEPH, ESQ.
PETER PETROU, ESQ.
EILEEN RIVERA
ANNE C. SINGER, ESQ.
ROBERT C. ZMIRICH



RICHARD J. HUGHES JUSTICE COMPLEX
P.O. BOX 962
TRENTON, NEW JERSEY 08625-0962
(609) 815-2920

JOHANNA BARBA JONES
CHIEF COUNSEL

TIMOTHY M. ELLIS
DEPUTY COUNSEL
BARRY R. PETERSEN, JR.
DEPUTY COUNSEL

JESSICA A. CALELLA
ROCCO J. CARBONE, III
ELIZABETH L. LAURENZANO
KATHRYN ANNE WINTERLE
ASSISTANT COUNSEL

January 26, 2021

VIA CERTIFIED MAIL, REGULAR MAIL, & E-MAIL

Daryl Sarrell Pennington, Esq.
133 High Street
Mount Holly, New Jersey 08060
darylpennington@yahoo.com

Re: In the Matter of Daryl Sarrell Pennington
Docket No. DRB 20-229
District Docket No. XIV-2017-0659E
LETTER OF ADMONITION

Dear Mr. Pennington:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper.¹ Following a review of the record, the Board determined to impose an admonition for your violation of RPC 1.15(d) (failure to comply with the recordkeeping requirements of R. 1:21-6).

Specifically, on January 26, 2018, the Office of Attorney Ethics conducted an audit of your financial books and records. After the audit, you admitted that you had failed to comply with the recordkeeping requirements of R. 1:21-6 by: failing to maintain an attorney trust account (ATA); failing to retain ATA and attorney business account (ABA) records for the prior seven years; failing to correct ATA and ABA designations on bank statements, checks, and deposit slips; failing to maintain separate ledger sheets for ATA funds; failing to maintain client ledger cards; failing to retain trust receipt journals and trust disbursement journals; failing to maintain monthly trust reconciliations; and failing to comply with ABA image-processed checks requirements. Your conduct, thus, violated RPC 1.15(d).

In imposing only an admonition, the Board considered your remedial efforts to understand and improve your recordkeeping moving forward, and that your misconduct did not invade trust funds or cause harm to any clients.

¹ Member Joseph was recused.

Your conduct has adversely reflected not only on you as an attorney but also on 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, this admonition will be taken into consideration.

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

Very truly yours,



Johanna Barba Jones
Chief Counsel

JBj/jm

- c: Chief Justice Stuart Rabner
Associate Justices
Heather Joy Baker, Clerk
Supreme Court of New Jersey
Bruce W. Clark, Chair
Disciplinary Review Board (e-mail)
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
Charles Centinaro, Director
Office of Attorney Ethics (interoffice mail and e-mail)
Timothy J. McNamara, Assistant Ethics Counsel, Presenter
Office of Attorney Ethics (e-mail)