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January 21, 2022

VIA CERTIFIED MAIL, REGULAR MAIL, & ELECTRONIC MAIL

Eralides E. Cabrera, Esq.
c/o George J. Otlowski, Esq.
708 Carson Avenue
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RE: In the Matter of Eralides Eric Cabrera
Docket No. DRB 21-216
District Docket No. VIII-2020-0011E
LETTER OF ADMONITION

Dear Mr. Cabrera:

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 for your violation of RPC 1.16(d) (upon termination of the representation, failure to turn over the client file). The Board further determined to dismiss the charged violation of RPC 1.15(b) (failure to promptly deliver to the client property that the client is entitled to receive).

Specifically, from October 2011 through January 2018, you were retained to represent Lorena Garcia in her application for withholding of removal under Article III of the United Nations Convention Against Torture. On January 2, 2018, Garcia terminated the representation and requested that a copy of her file

be sent to her home address, her work address, and to her new attorney. Later, on January 9, 2018, Garcia's new attorney requested that you forward her file to his office. Five months thereafter, on June 9, 2018, Garcia's new attorney again requested that her file be forwarded to his office, noting that he had contacted your office on numerous occasions to inquire about the file, to no avail.

In your May 22, 2019 affidavit submitted to the Board of Immigration Appeals, you admitted having received Garcia's new attorney's January 9 and June 9, 2018 requests for her file. You further admitted to having failed to promptly deliver Garcia's file as requested. You reiterated these admissions in your December 21, 2020 answer to the formal ethics complaint. The Board, thus, determined that you violated RPC 1.16(d). The Board further determined that RPC 1.15(b) historically is applied to an attorney's failure to turn over physical property or funds to which a client is entitled. Accordingly, the Board dismissed that additional charge as inapplicable and duplicative of the RPC 1.16(d) charge.

In imposing only an admonition, the Board considered (1) your lack of a disciplinary history in more than thirty years at the bar; (2) that your misconduct involved only one client matter; and (3) your representation that you have taken remedial measures to ensure no similar errors occur in the future.

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
Hon. Maurice J. Gallipoli, A.J.S.C. (Ret.), Chair
Disciplinary Review Board (e-mail)
Gail G. Haney, Deputy Clerk
Supreme Court of New Jersey (w/ethics history)
Charles Centinaro, Director
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District VIII Ethics Committee (regular mail and e-mail)
David B. Greenfield, Esq., Presenter (regular mail and e-mail)
Lorena Garcia, Grievant