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SJC-13644

MELITA PICCIOTTO & others<sup>1</sup> vs. A. CLARISSA WRIGHT, CHAIR OF BOARD OF BAR OVERSEERS, & others.<sup>2</sup>

February 26, 2025.

Practice, Civil, Action in nature of certiorari, Dismissal, Standing. Board of Bar Overseers. Attorney at Law, Disciplinary proceeding.

The petitioners, Melita Picciotto, Athena Picciotto, and Judith Picciotto, petitioned a single justice of this court for relief in the nature of certiorari pursuant to G. L. c. 249, § 4. Specifically, they asked the single justice to order the Board of Bar Overseers to initiate disciplinary proceedings against three named attorneys. The respondents moved to dismiss the petition, and the single justice allowed the motion, dismissing the petition without a hearing. The petitioners now appeal.

"[T]here is no private right to commence a court action to seek disciplinary action against an attorney." Gorbatova v. Semuels, 462 Mass. 1012, 1012 (2012). See Matter of a Request for an Investigation of Attorneys, 460 Mass. 1025, 1026 (2011).

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<sup>1</sup> Athena Picciotto and Judith Picciotto.

<sup>2</sup> R. Michael Cassidy, vice chair of Board of Bar Overseers; Rodney S. Dowell, executive director of Board of Bar Overseers; Rita Balian Allen, Jesse M. Boodoo, Elizabeth O. da Silva, Ashley E. Hayes, Frank E. Hill, III, Dr. David B. Krieger, Ernest L. Sarason, Jr., Richard C. Van Nostrand, and Azizah P. Yasin, as the members of the Board of Bar Overseers.

This remains true where, as here, the petition is brought as a request for relief in the nature of certiorari seeking to compel disciplinary proceedings. See Callahan v. Board of Bar Overseers, 417 Mass. 516, 518-519 (1994). Consequently, the petitioners lacked standing, and the single justice did not err or abuse his discretion in dismissing their petition.<sup>3</sup> See Gorbatova, supra at 1012-1013; Slotnick v. Pike, 374 Mass. 822, 822-823 (1977).

Judgment affirmed.

The case was submitted on briefs.  
Melita Picciotto, Athena Picciotto, & Judith Picciotto, pro  
se.

Joseph S. Berman & Merle R. Hass for Board of Bar  
Overseers.

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<sup>3</sup> The respondents' motion to dismiss, filed in this matter, is denied as moot. We decline to award attorney's fees as requested by the respondents.