

**BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION**

FILED
8/12/2025 9:11 PM
ARDC Clerk

In the Matter of:

DEVIN NICOLE LUSTER

Commission No. 2025PR00037

Attorney-Respondent,

No. 6340862

NOTICE OF FILING

To: Michelle Thome and Morgan B. Handwerker
(MHandwerker@iadc.org) (mthome@iadc.org) (ardceservice@iadc.org)
Attorney Registration & Disciplinary Commission
130 East Randolph Drive, #1500
Chicago, Illinois 60601-6219

PLEASE TAKE NOTICE that on **August 12, 2025**, we filed with the Clerk of the Attorney Registration & Disciplinary Commission: **ANSWER, AFFIRMATIVE DEFENSES AND AFFIRMATIVE MATTERS**, a copy of which is served upon you herewith.

By: /s/ 
Devin N. Luster, Attorney-Respondent

Devin N. Luster, Esq.
Attorney for Petitioner
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Homewood, IL 60430
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CERTIFICATE OF SERVICE

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure [735 ILCS 5/1-109], the undersigned certifies that they served the foregoing document(s) by causing copies to be delivered to the above stated SERVICE LIST by email on August 12, 2025.

By: /s/ 
Devin N. Luster, Attorney-Respondent

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ANSWER, AFFIRMATIVE ALLEGATIONS, AND AFFIRMATIVE MATTERS

Respondent, Devin N. Luster, pro se, responds to complaint filed by Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Morgan B. Handwerker, pursuant to Supreme Court Rule 753(b). On July 2nd, 2025, a formal complaint subjecting the Respondent discipline was filed and the Respondent replies as follows:

1. On October 14, 2021, a woman with the initials T.J. filed a *pro se* complaint against her sister, a woman with the initial D.L. (“D.L.”) in the Circuit Court of Cook County, Municipal Department (“the Municipal matter”). Judge Patricia M. Fallon presided over the Municipal matter for the duration of the case.

Answer: Agreed.

2. The complaint alleged that D.L. was in possession of T.J.’s personal property and that D.L. had allegedly locked out T.J. of a house located on South Wallace Street in Chicago

(“Wallace Street Residence”), thus preventing T.J. from retrieving her property. T.J. sought approximately \$30,000 in damages against D.L. At all times alleged in this complaint, D.L. was not represented by counsel.

Answer: Agreed.

COUNT I

(Dishonesty – Misrepresentation to the Chicago Police Department and D.L. regarding possession of a court order allowing the removal of personal property)

3. The Administrator realleges and reincorporates paragraphs one through two above.

Answer: Agreed.

4. In late 2022, T.J. and Respondent agreed that Respondent, who at the time was an associate attorney at a law firm in Palos Heights, would represent T.J. in the Municipal matter against D.L.

Answer: Agreed.

5. On November 22, 2022, Respondent filed her appearance for T.J. in the Municipal matter. On December 21, 2022, Respondent appeared in court on behalf of T.J. On that date, Judge Fallon set various deadlines in the case, including a discovery cutoff date and set a trial date of June 8, 2023. At no time during the November 22, 2022 hearing did Judge Fallon authorize Respondent, T.J., or anyone else to retrieve T.J.’s personal property, which was the subject of the Municipal matter, from the Wallace Street Residence.

Answer: Disagree. On December 21, 2022, Respondent appeared in court on behalf of T.J. in front of Judge Patricia M. Fallon. The parties were set for a two-day trial starting on December

21, 2022. The Respondent D.L. failed to appear in court for the trial date and Judge Fallon entered a default against the respondent. In addition, the case was continued for prove up. In this zoom appearance was attorney Luster, T.J., and Judge Patricia Fallon. The question was posed to Judge Fallon as to what information to provide for “prove-up”. At that time it was communicated to attorney Luster to make a list of the items, include the price of each item, and try to see which items were salvageable. [Please see Exhibit A]

6. In early January 2023, Respondent sent a request to R.J., T.J.’s sister who was living at the Wallace Street Residence, to retrieve T.J.’s personal property from the Wallace Street Residence. On or about January 6, 2023, Respondent and R.J. exchanged text messages wherein R.J. told “Attorney Luster, [to] Pick up items for [T.J.] on 1/8/2023 8:00 a.m.” Respondent confirmed that she would come to the Wallace Street Residence on January 8, 2023. On that date, Respondent knew that she did not have authority from Judge Fallon or anyone else to retrieve T.J.’s property from the Wallace Street Residence.

Answer: Agree in part. In early January 2023, Respondent sent a request to R.J., T.J.’s sister who was living at the Wallace Street Residence, to retrieve T.J.’s personal property from the Wallace Street Residence. On or about January 6, 2023, Respondent and R.J. exchanged text messages wherein R.J. told “Attorney Luster, [to] Pick up items for [T.J.] on 1/8/2023 8:00 a.m.” Respondent confirmed that she would come to the Wallace Street Residence on January 8, 2023. On that date, Respondent did not represent that she had authority from Judge Fallon to retrieve T.J.’s property from the Wallace Street Residence. Respondent did believe she had authority and was in agreement by the person occupying the home at the time R.J. to retrieve T.J.’s property from the Wallace Street Residence as shown by the text messages. Respondent was a new

attorney at the time unintentionally misinterpreted the expectations of the Judge. Respondent did not express that R.J. was under court order to abide. [Please see Exhibit B]``

7. On January 8, 2023, Respondent contacted the Chicago Police Department, identified herself as an attorney, and asked that Chicago Police Department officers to accompany her to the Wallace Street Residence. The Chicago Police Department representative agreed to the request and on that date, Respondent arrived at the Wallace Street Residence, along with two Chicago Police Department officers.

Answer: Agreed. Respondent made arrangements for the Chicago Police Department to be present with the intent to protect all parties.

8. On January 8, 2023, when they arrived at the Wallace Street Residence, one of the Chicago Police Department officers asked Respondent if she had a court order allowing the removal of T.J.'s personal property from the Wallace Street Residence; to which Respondent replied that she did.

Answer: The officer asked Respondent "how many times have you come here to do this". The Respondent states "this is my first time". The Respondent began to respond as to her understanding of the Judge's instructions. The Respondent did not state that her actions were in response to a court order, however she responded that her narrative of events were in writing. The Respondent's intention of stating that the events were in writing was referring to the events on the docket. Furthermore the Respondent states multiple times that this was an agreement made by R.J. but she was not under any obligation to allow the retrieval of T.J.'s personal items. In the video Respondent further state's that she will have to show the judge the text agreement to retrieve the salvageable personal items, as Respondent was under the wrong understanding of the

Judge's directions. In addition Respondent believed there was an agreement and it was done by free will.

9. Respondent's statement that she had a court order allowing the removal of T.J.'s personal property from the Wallace Street Residence was false because neither Judge Fallon nor any other judge had entered such an order in the Municipal matter allowing the removal of T.J.'s personal property.

Answer: Deny. Respondent's statement was not made with the intent to lead the officer to believe her entire narrative of events was in a court order.

10. Respondent knew her statement to the officer that she had a court order allowing the removal of T.J.'s personal property from the Wallace Street Residence was false because she knew that neither Judge Fallon nor any other judge had entered such an order in the Municipal matter that allowed the removal of T.J.'s personal property from the Wallace Street Residence.

Answer: Deny. Respondent's statement was not made with the intent to lead the officer to believe her entire narrative of events was in a court order.

11. Once Respondent and the Chicago Police Department officers' arrived at the Wallace Street Residence, R.J. told the Respondent and Chicago Police Department officers that T.J.'s personal property was in the backyard of the Wallace Street Residence. Respondent, with the assistance of the Chicago Police Department officers, then removed T.J.'s property, consisting of several bags and boxes of personal items, from the backyard of the Wallace Street Residence.

Answer: Agree.

12. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. conduct involving dishonesty, fraud, deceit, or misrepresentation, by representing that she had a court order to an unrepresented party (R.J.) and the Chicago Police Department allowing the removal of personal property from the exterior of the Wallace Street Residence when no such order existed, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010); and
- b. conduct that is prejudicial to the administration of justice by utilizing Chicago Police Department officers to assist in the removal of personal property from the exterior of the Wallace Street Residence, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

COUNT II

(Lack of Diligence and False Statements to a Tribunal - June 8, 2023 Bench Trial)

13. The Administrator realleges and reincorporates paragraphs one through twelve above.

14. Prior to Respondent's filing her appearance as counsel for T.J. in the Municipal matter, T.J. had submitted exhibits consisting of documents and photographs to Judge Fallon. On November 22, 2022, Respondent filed her appearance on behalf of T.J. in the Municipal matter.

Answer: Agree.

15. On December 21, 2022, in addition to setting a trial date, Judge Fallon set pre-trial deadlines for the parties to exchange discovery and any exhibits that would be used at the

trial. Judge Fallon also required the parties to submit copies of any exhibits to the Court prior to trial.

Answer: Disagree. Please see exhibit A of the court order on December 21, 2022, signed by Judge Fallon.

16. Despite being required to do so, Respondent failed to tender T.J.'s exhibits, including those previously provided to Judge Fallon, prior to the commencement of the trial on June 8, 2023. During the ensuing trial, Respondent offered no documents, photographs, or other exhibits concerning T.J.'s personal property or her purported damages into evidence.

Answer: Agree in part. The new trial date was set for June 8, 2023. Respondent tendered "TJones Trial Packet" on June 1, 2023. At that time Respondent was under the impression that the courts had received the trial documents and Respondent shared the documents previously shared with the court with the other party D.L. [Please sees exhibit C]

17. In ruling from the bench at the conclusion of the trial, Judge Fallon found that Respondent, on behalf of T.J., presented almost no evidence regarding the identification of the alleged personal property at issue and no evidence was introduced to demonstrate that D.L. possessed the personal property at issue.

Answer: Agree.

18. During the June 8, 2023, bench trial, Respondent's conduct on January 8, 2023, as described in Count I above, came to Judge Fallon's attention through D.L.'s testimony to the Court. Specifically, D.L. testified that on January 8, 2023, Respondent went to the

Wallace Street Residence with Chicago Police officers and removed T.J.'s property from the Residence, claiming that Respondent had a court order allowing her to do so.

Answer: Deny. On June 8, 2023, bench trial, Respondent's conduct came to Judge Fallon's attention through R.J., a nonparty to the lawsuit. D.L. was a party to the civil suit however was not present at the Wallace Street Residence with Chicago Police officers.

19. After D.L. testified regarding the events, Judge Fallon questioned Respondent as to the factual basis for Respondent's apparent statement to D.L. and R.J. that Respondent had been authorized by a court order to enter the Wallace Street Residence and removal T.J.'s personal property. Respondent told Judge Fallon, "something to the effect of, 'well, you kind of did [enter an order], Judge.'"

Answer: Deny. Respondent began to respond to Judge Fallon's inquiry as to the events that took place at the Wallace Street Residence. Respondent began by stating to the Judge "I thought you kind of did...". Respondent was quickly cut off by the Judge and was yelled at and told not to speak any further. The Respondent was attempting to explain that she was under the impression that "prove up" consist of "salvaging property" and she was making arrangements on behalf of her client. Respondent acknowledged to the judge that she never represented there was a court order to R.J or D.L. and told them there was no obligation to allow T.J. to retrieve her personal items.

20. Respondent's statement to Judge Fallon as set forth in paragraph 19 was false because Judge Fallon never entered any order allowing Respondent, or anyone else, to retrieve T.J.'s property from the Wallace Street Residence.

Answer: Agree. Respondent did not represent to R.J. or D.L. that a court order was signed by Judge Fallon to retrieve T.J.'s personal property.

21. Respondent knew the statement to Judge Fallon was false because Judge Fallon had never entered any order allowing Respondent, or anyone else, to retrieve T.J.'s property from the Wallace Street Residence.

Answer: Deny. Respondent was not able to fully respond to Judge Fallon as she was immediately reprimanded before she could finish her statement. Respondent did not represent to Judge Fallon that a court order was signed by Judge Fallon to retrieve T.J.'s personal property.

22. Additionally, in ruling from the bench at the conclusion of the trial, Judge Fallon found that Respondent "lied to the Court in an effort to conceal her egregious conduct" and "had now made herself a witness in the instant matter."

Answer: Denied as to Judge Fallon did not state explicitly that the Respondent "lied to the Court in an effort to conceal her egregious conduct". Judge Fallon did state that the behavior was disheartening. Admit as to Judge Fallon did express concerns as to whether Respondent "had now made herself a witness in the instant matter."

23. Following D.L.'s testimony and Respondent's statements as described in paragraph 19, Judge Fallon dismissed the Municipal matter. In dismissing the Municipal matter, Judge Fallon found that Respondent's conduct in failing to prepare exhibits for the hearing and in going to the Wallace Street Residence on January 8, 2023, had made her a witness and prejudiced T.J.'s case.

Answer: Agreed.

24. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. failing to act with reasonable diligence in representing a client, by conducting not adequately preparing or presenting T.J.'s case and making herself a witness at the June 8, 2023 trial by conduct including not preparing or offering into evidence proposed exhibits, causing the matter to be dismissed, in violation of Rule 1.3 of the Illinois Rules of Professional Conduct (2010);
- b. knowingly making a false statement of fact to a tribunal by omission of material and relevant information by conduct including, falsely telling Judge Fallon that she had entered an order allowing the removal of personal property from the Wallace Street Residence, in violation of Rule 3.3(a)(1); and
- c. conduct involving dishonesty, fraud, deceit, or misrepresentation, by making a knowingly false statement in response to Judge Fallon's questions regarding the alleged court order allowing the removal of personal property from the Wallace Street Residence, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT III

(False statements to the Administrator relating to removal of personal property)

25. The Administrator realleges and incorporates paragraphs one through twenty-four above.

26. On or about June 9, 2023, the Administrator initiated an investigation into Respondent's conduct as set forth in Counts I and II, above.

Answer: Agreed.

27. During the Respondent's sworn statement before the Administrator on January 21, 2025, Respondent testified that she did not remove any of T.J.'s personal property from the backyard of the Wallace Street Residence. As set forth above, on January 8, 2023, Chicago Police Department Officers Coglianesse and Smith accompanied Respondent to the Wallace Street Residence.

Answer: Agreed. Respondent does recall stating she did not remove any of T.J.'s personal property. Respondent also stated that she did not recall all of the events that occurred as two years had passed. Respondent recalled the ultimate decision was to leave the items and at the time of the January 21, 2025, testimony Respondent did not remember touching the items. The statement in the sworn testimony was not intentionally false. After reviewing the video the Respondent acknowledges that she did touch a box with T.J.'s personal items.

28. Respondent's testimony that she did not remove any of T.J.'s personal property from the backyard of the Wallace Street Residence was false because she removed at least one box containing T.J.'s personal property from the Wallace Street Residence.

Answer: Deny. Respondent recalled the ultimate decision was to leave the items at the Wallace Residence and at the time of the January 21, 2025, testimony Respondent did not remember touching the items. The statement in the sworn testimony was not intentionally false. Respondent received video evidence after the testimony on January 21, 2025, the Respondent acknowledges that she did touch a box with T.J.'s personal items.

29. Respondent knew her testimony to counsel for the Administrator on January 21, 2025, above, was false because she had personally gone to the Wallace Street Residence and removed property.

Answer: Deny. Respondent did not know on January 21, 2025, that her testimony was false. At the time Respondent testified to her belief and stated multiple times that a lot of time has passed, and Respondent was not definite about specifics in her testimony. Respondent communicated in her testimony that at the time of entering the civil matter Respondent had been a licensed attorney for 6 months and this was Respondent's first time testifying with the ARDC.

30. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement of material fact in connection with a disciplinary matter, by falsely stating to the Administrator that Respondent did not remove any personal property from the Wallace Street Residence in violation of Rule 8.1(a) of the Illinois Rules of Professional Conduct (2010); and
- b. conduct involving dishonesty, fraud, deceit, or misrepresentation, by misrepresenting to the Administrator that she did not remove any personal property from Wallace Street Residence, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Respondent respectfully asks the panel to consider this response in making findings of fact and law when making recommendations.

Respectfully Submitted,



Devin N. Luster, Esq.
Attorney for Respondent
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Homewood, IL 60430
Tel.: (708) 872-0210
Email: lawluster2@gmail.com

Judge Fallon
Line 3
12/21/2022 Room 1112
IN THE CIRCUIT COURT OF COOK
COUNTY DEPARTMENT, MUNICIPAL DEPARTMENT

THEODORA JONES,)	
Petitioner,)	
v.)	
)	No. 20211014596
)	
DARLENE LEWIS,)	Line. 3
Respondent.)	

AGREED ORDER

THIS CAUSE coming to be heard by agreement of the parties, due notice having been given, the court having jurisdiction over the parties and the subject matter and being fully advised in the premises:

1. This case was set for trial on December 21st and 22nd of 2022.
2. Respondent did not appear for trial on December 21, 2022 via zoom.
3. On December 21, 2022 Judge Fallon entered a default ~~judgment~~ against the respondent.

and the case was continued for prove up.

DATED:

Judge Patricia M. Fallon

ENTERED:

JAN 17 2023


Circuit Court -2263

JUDGE

Devin N. Luster, Atty.
Attorney for: Petitioner
Address: 12413 S. Harlem Ave., Suite 203
City/Zip: Palos Heights, IL 60463
Telephone: 708-296-2736
Atty. Code: 6340862
Email: devinluster@gmail.com

Judge Patricia M. Fallon
DEC 21 2022
Circuit Court -2263

8:32

 5:33

71



342



+1 (773) 710-2443 >

iMessage

Jan 6, 2023 at 1:25 PM

Changed date for Theodora Jones
from 1/7/2023 10:00am to
1/8/2023 at 8:00am Thanks,
Romona Jones

Date 1/6/2024
Dear Attorney Luster,
Pick up items for Theodora Jones,
on 1/8/2023 8:00am Thanks,
Romona Jones

Got it

Attorney Luster changed date.
Thanks, Romona Jones

Did you mean to send it 3 times to
me?

Jan 8, 2023 at 8:10 AM

Hi we are outside

Read

Jan 8, 2023 at 9:27 AM



iMessage





Devin Luster <devinluster@gmail.com>

JONES v. LEWIS 2021101459

2 messages

Devin Luster <devinluster@gmail.com>
To: darlene.jones-lewis@cityofchicago.org

Thu, Jun 1, 2023 at 6:59 PM

Hi Ms. Lewis,

Please see the attached Plaintiff Trial Packet for the trial that is scheduled for June 8th and June 9th.

Best Regards,

--

Devin N. Luster, Esq

--

Attorney |

Phone: 708-296-2736

Email: DevinLuster@gmail.com**T.JONES TRIAL PACKET.pdf**

4885K

Darlene Jones-Lewis <Darlene.JonesLewis@cityofchicago.org>
To: Devin Luster <devinluster@gmail.com>

Fri, Jun 2, 2023 at 7:36 AM

Thanks so much!

Darlene Jones-Lewis, MURP, MA
Grants Research Specialist
Office of Public Safety Administration, 3NW
[3510 S. Michigan Avenue | Chicago, IL | 60622](#)
(312) 745-5085
darlene.jones-lewis@cityofchicago.org

From: Devin Luster <devinluster@gmail.com>
Sent: Thursday, June 1, 2023 6:59 PM

To: Darlene Jones-Lewis <Darlene.JonesLewis@cityofchicago.org>

Subject: JONES v. LEWIS 2021101459

[Warning: External email]

[Quoted text hidden]

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