

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

In the Matter of:

JOHN FLYNN DECKERT,

Attorney-Respondent,

No. 6315300.

Commission No. 2024PR00078

REPORT AND RECOMMENDATION OF THE HEARING BOARD

DEFAULT PROCEEDING

The hearing in this matter was held by videoconference on July 24, 2025, before a Hearing Board Panel consisting of John L. Gilbert, Chair, Martha M. Ferdinand, and Robbie L. Edmond. Ann R. Pieper appeared on behalf of the Administrator. Respondent did not participate. The Administrator requested disbarment, or at least a lengthy suspension until further order of the Court and until client restitution is made. We agree with the Administrator's request and recommend a suspension for two years and until further order of the Court and until Respondent makes restitution of unearned fees to Robert Reetz.

We have considered the Administrator's one-count Complaint, filed on December 17, 2024, a copy of which is attached as Exhibit 1. In addition, we have considered the order entered on May 19, 2025, deeming the allegations of the complaint admitted, a copy of which is attached as Exhibit 2. Respondent did not file an Answer or participate in the pre-hearing process.

The allegations deemed admitted establish that Respondent made numerous false statements to his client Robert Reetz, claiming that he had filed a complaint in court, hired a process server, issued alias summonses, filed a motion, obtained a court order, issued subpoenas

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August 08, 2025

ARDC CLERK

for bank records, and was domesticating the “case” in Indiana – none of which he had done. Meanwhile, he waited nearly two years to actually file the complaint and shortly thereafter abandoned the client by moving out of state and failing to refund any of the \$25,000 fee paid by the client. He also failed to obtain leave of court to withdraw from the case. Based on these admitted allegations, the Administrator established by clear and convincing evidence that Respondent violated Illinois Rules of Professional Conduct 1.3, 1.16(c), 1.16(d), and 8.4(c).

Respondent, who was licensed in 2014, has no prior discipline. However, this mitigating factor is outweighed by the proven aggravation. Respondent caused actual harm or risk of harm to his client by delaying the filing of the client’s complaint for nearly two years. He turned a pattern of neglect into a pattern of dishonesty when he attempted to cover up his inaction by lying to the client multiple times about the progress and status of the case. He has not made restitution to the client, instead telling the client that the money was “long gone.” Additionally, after acknowledging his awareness of the investigation in this matter, Respondent chose not to participate, demonstrating his disrespect for the disciplinary process. His failure to appear at the hearing deprived the Panel of the opportunity to hear any evidence in mitigation and to assess his fitness to practice law. For this reason, we conclude that Respondent should be required to petition for reinstatement and successfully demonstrate his fitness to practice, pursuant to Supreme Court Rule 767, before resuming work as an attorney. Therefore, we recommend that Respondent be suspended for two years and until further order of the Court and until he makes restitution of unearned fees to Robert Reetz.

Accordingly,

1. On April 3, 2025, Respondent was served by ordinary mail after reasonable efforts to otherwise locate and serve him were unsuccessful. A copy of the Administrator’s

Certificate of Mailing Pursuant to Commission Rule 214(b) and Affidavit of Investigator Mark Pointer Pursuant to Commission Rule 214(b) is attached as Exhibit 3.

2. The allegations and charges of the Complaint were deemed admitted in an order entered on May 19, 2025. A copy of that order is attached as Exhibit 2.
3. In consideration of the order deeming the allegations and charges of the Complaint admitted, this Panel finds that Respondent committed the charged misconduct.
4. Given Respondent's misconduct, his failure to participate in this proceeding, and relevant case law, we recommend that Respondent be suspended for two years and until further order of the Court and until he makes restitution of unearned fees to Robert Reetz.
5. The Panel has concluded that this report format will adequately and appropriately communicate its recommendation to the Court.

Respectfully submitted,

John L. Gilbert
Martha M. Ferdinand
Robbie L. Edmond

CERTIFICATION

I, Michelle M. Thome, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, hereby certifies that the foregoing is a true copy of the Report and Recommendation of the Hearing Board, approved by each Panel member, entered in the above entitled cause of record filed in my office on August 8, 2025.

/s/ Michelle M. Thome

Michelle M. Thome, Clerk of the
Attorney Registration and Disciplinary
Commission of the Supreme Court of Illinois

Exhibit 1

BEFORE THE HEARING BOARD
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DISCIPLINARY COMMISSION

In the Matter of:

JOHN FLYNN DECKERT,

Attorney-Respondent,

No. 6315300.

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Commission No. 2024PR00078

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Ann R. Pieper, pursuant to Supreme Court Rule 753(b), alleges that Respondent, John Flynn Deckert, who was licensed to practice law in Illinois on May 1, 2014, has engaged in the following conduct which subjects him to discipline pursuant to Supreme Court Rule 770:

COUNT I

(Failure to act with reasonable diligence, failure to properly terminate representation, failure to refund an unearned fee, and engaging in dishonesty, fraud and deceit)

1. On or about February 10, 2021, Respondent and Robert Reetz (“Reetz”) agreed that Respondent would represent Reetz in attempting to recover the proceeds of a \$500,000 loan Reetz made to Gayle Breymeyer (“Breymeyer”), pursuant to a promissory note executed in 2013. Respondent and Reetz agreed that Respondent’s fee for the collection work and for pursuing post-judgment proceedings would be \$25,000.

2. In February of 2015, Breymeyer stopped paying on the loan and made no payments subsequently to either Reetz or Respondent.

3. Respondent did not file any proceedings in any court for the benefit of Reetz prior to January of 2023.

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12/17/2024 8:55 AM
ARDC Clerk

4. On more than one occasion between March 2021 and September 2022, Respondent represented to Reetz that the “case was being domesticated” in Indiana.

5. Respondent’s statements that the “case was being domesticated” in Indiana were false because Respondent had not filed anything in Indiana, or Illinois, related to the loan or promissory note described in paragraph one, above.

6. At the time Respondent made the statement described in paragraph four, above, he knew the statement was false.

7. On or about October 2, 2022, Respondent sent a letter to Reetz where he repeated to Reetz that he had filed a complaint against Breymeyer for breach of contract and fraud in Iroquois County. Additionally, Respondent also represented to Reetz in the letter that he had issued alias summonses and that he had hired a process server who had served the summonses.

8. Respondent’s representations to Reetz described in paragraph seven, above, were false because Respondent had not filed any documents in Iroquois County on behalf of Reetz nor had summons been issued.

9. Respondent knew at the time he sent the letter to Reetz that the letter contained false information.

10. In the letter to Reetz, Respondent also stated that he had filed a motion for rule to show cause against Breymeyer, obtained an order from the court, and that he had issued subpoenas for Breymeyer’s bank records.

11. Respondent’s statements described in paragraph 10, above, were false because he had not filed any motions or petitions on behalf of Reetz nor had he issued any subpoenas.

12. Respondent knew at the time he sent the letter to Reetz that it contained false information.

13. On January 23, 2023, Respondent filed a complaint for breach of contract and fraud on behalf of Reetz in the Circuit Court of Iroquois County.

14. Shortly after filing the complaint, Respondent told Reetz that he was moving to Texas and Reetz would need to obtain new counsel.

15. At no point did Respondent withdraw from the Iroquois County case or refund any portion of the \$25,000 fee he had received from Reetz. When Reetz inquired about a refund, Respondent told him that the \$25,000 was “long gone.”

16. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

- a. failure to act with reasonable diligence and promptness in representing a client by failing to file any complaint in any court from March of 2021 through January of 2023, as described in paragraph three, above, in violation of Rule 1.3 of the Illinois Rules of Professional Conduct (2010);
- b. failure to comply with applicable law requiring permission of a tribunal when terminating representation, by failing to file a motion to withdraw after entering his appearance as described in paragraph 15, above in violation of Rule 1.16(c) of the Illinois Rules of Professional Conduct (2010);
- c. failing to refund an unearned fee, by conduct including failing to return any unearned portion of the \$25,000 fee that Respondent received from Reetz in connection to the collection work or the Iroquois County matter, in violation of Rule 1.16(d) of the Illinois Rules of Professional Conduct (2010); and
- d. conduct involving dishonesty, fraud, deceit, or misrepresentation by making the false statements to Reetz described in paragraphs four, seven, and 10, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, The Administrator requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held and that the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Lea S. Gutierrez, Administrator

Attorney Registration and
Disciplinary Commission

By: /s/Ann R. Pieper
Ann R. Pieper
One of her attorneys

Ann R. Pieper
Counsel for Administrator
3161 W. White Oaks Drive, Suite 301
Springfield, Illinois 62704
Telephone: (217)546-3253
Email: apieper@iadc.org
Email: ARDCeService@iadc.org
4924-0598-6566, v. 1

Exhibit 2

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

FILED

May 19, 2025

ARDC CLERK

In the Matter of:

JOHN FLYNN DECKERT,

Attorney-Respondent,

No. 6315300.

Commission No. 2024PR00078

ORDER

A telephonic pre-hearing conference was held in this matter on May 16, 2025, at 10:30 a.m. Participating were John L. Gilbert, Chair; and Ann R. Pieper, Counsel for the Administrator. Respondent did not participate. Counsel for the Administrator advised the Chair of the status of the matter. Accordingly,

IT IS ORDERED:

1. Based on Respondent's failure to file an answer or a response to the Administrator's Motion to Deem All Allegations and Disciplinary Charges of the Complaint Admitted Pursuant to Commission Rule 236 (Motion), the Administrator's Motion is granted. All factual allegations and disciplinary charges are deemed admitted, and no further proof is required. At hearing, the parties shall be limited to presenting evidence of mitigating and aggravating factors and argument pertaining to the form and amount of discipline to be imposed;
2. The parties shall exchange the exhibits they propose to offer at hearing on or before June 19, 2025; Pursuant to Supreme Court Rule 138, each party is responsible for redacting personal identity information from that party's exhibits; and
3. The default hearing in this matter is scheduled for June 26, 2025, at 9:30 a.m., and

will be held remotely via Microsoft Teams video conference. The Clerk of the Commission shall provide the parties with the Teams access information.

CERTIFICATION

I, Michelle M. Thome, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, certify that the foregoing is a true copy of the order, approved by the Hearing Board Chair, entered in the above entitled cause of record filed in my office on May 19, 2025.

/s/ Michelle M. Thome
Michelle M. Thome,
Clerk of the Attorney Registration and
Disciplinary Commission of the
Supreme Court of Illinois

PROOF OF SERVICE

I, Andrea L. Watson, hereby certify that I served a copy of this Order on the Attorney-Respondent listed at the address shown below by regular mail by depositing it with proper postage prepaid, by causing the same to be deposited in the U.S. Mailbox at One Prudential Plaza, 130 East Randolph Drive, Chicago, Illinois 60601 on May 19, 2025, at or before 5:00 p.m. At the same time, a copy of this Order was sent to Counsel for the Administrator by e-mail service.

John Flynn Deckert
Attorney-Respondent
1701 South Prospect Avenue
Suite 206
Champaign, IL 61820-7054

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/ Andrea L. Watson
Andrea L. Watson

Exhibit 3

BEFORE THE HEARING BOARD
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DISCIPLINARY COMMISSION

In the Matter of:

JOHN FLYNN DECKERT,

Attorney-Respondent,

No. 6315300

Commission No. 2024PR00078

NOTICE OF FILING

TO:	John Flynn Deckert Attorney-Respondent FierroDeckert LLC 1701 South Prospect Ave., Suite 206 Champaign, IL 61820-7054 <u>john@fierrodeckert.com</u> and <u>deckert.john@gmail.com</u>	John F. Deckert 709 Ashton Lane N. Champaign IL 61820
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PLEASE TAKE NOTICE that on April 3, 2025, I will file the ADMINISTRATOR'S CERTIFICATE OF MAILING PURSUANT TO COMMISSION RULE 214(b) and AFFIDAVIT OF INVESTIGATOR MARK POINTER PURSUANT TO COMMISSION RULE 214(b), a copy of which is attached, by causing the original to be delivered to the Clerk of the Attorney Registration and Disciplinary Commission in Chicago, Illinois.

Respectfully submitted,

Lea Guitierrez, Administrator
Attorney Registration and
Disciplinary Commission



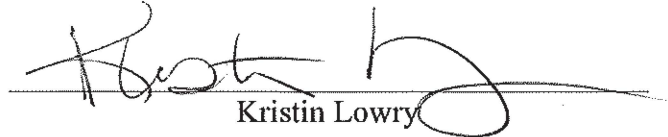
Ann R. Pieper

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4/3/2025 10:08 AM
ARDC Clerk

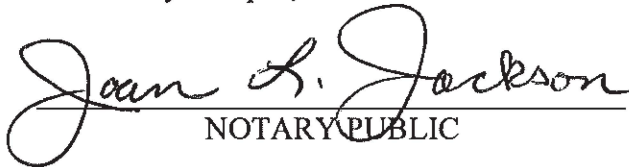
Ann R. Pieper
Counsel for Administrator
3161 W. White Oaks Drive, Suite 301
Springfield, IL 62704
Telephone: (217)546-3253
Email: apieper@iadc.org
Email: ARDCeService@iadc.org

PROOF OF SERVICE

I, Kristin Lowry, on oath state that I served a copy of this Notice of Filing and the ADMINISTRATOR'S CERTIFICATE OF MAILING PURSUANT TO COMMISSION RULE 214(b) and AFFIDAVIT OF INVESTIGATOR MARK POINTER PURSUANT TO COMMISSION RULE 214(b), on the individual at the two email addresses and two mailing addresses shown on the forgoing Notice of Filing, on April 3, 2025.


Kristin Lowry

Subscribed and sworn to before me
this 3rd day of April, 2025.


NOTARY PUBLIC



BEFORE THE HEARING BOARD
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In the Matter of:

JOHN FLYNN DECKERT,


Attorney-Respondent,

No. 6315300

Commission No. 2024PR00078

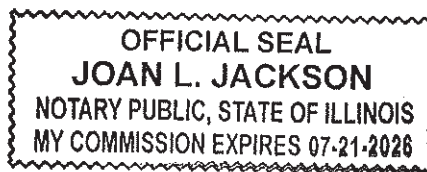
ADMINISTRATOR'S CERTIFICATE OF MAILING
PURSUANT TO COMMISSION RULE 214(b)

I, Kristin Lowry, state under oath that I personally sent copies of the Complaint, Notice of Complaint, Order Assigning the Chairperson of the Hearing Panel, Rules of the Supreme Court of Illinois, a letter pursuant to Commission Rule 260 and a Memorandum Regarding Pre-Hearing Conference Procedures by email and ordinary mail, postage fully prepaid, directed to Respondent, John Flynn Deckert, at his last known email address as well as the email address and his business and home mailing addresses shown on the Master Roll, by causing the same to be deposited in the United States mailbox located in Springfield, Illinois on April 3, 2025, at or before 5:00 p.m.


Kristin Lowry

Subscribed and sworn to before me
This 3rd day of April, 2025


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BEFORE THE HEARING BOARD
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In the Matter of:

JOHN FLYNN DECKERT,

Attorney-Respondent,

No. 6315300

Commission No. 2024PR00078

AFFIDAVIT OF INVESTIGATOR MARK POINTER
PURSUANT TO COMMISSION RULE 214(b)

I, Mark Pointer ("Affiant"), being first duly sworn, hereby states:

1. Affiant possesses firsthand knowledge of the facts presented in this Affidavit and, if called as a witness, Affiant will testify to the truth of the facts presented in this Affidavit.
2. Affiant is an Investigator for the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois ("the Commission") and, as such, is authorized to make personal service of process pursuant to Supreme Court Rule 765(a) and Commission Rule 215(a).
3. Commission Rule 214(b) provides that service of a Complaint may be accomplished by ordinary mail if the Respondent "... (3) on due inquiry cannot be found, or (4) is concealed within the state, so that process cannot be served upon him."
4. As set forth below, despite Affiant's good faith efforts, repeated attempts to personally serve John Flynn Deckert ("Respondent") with the documents related to this matter remain unsuccessful.


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Affiant's Attempts to Serve Respondent with the Complaint


5. On December 17, 2024, Affiant was requested to personally serve the Respondent with a copy of Complaint 2024PR00078, Notice of Complaint, Order Assigning Chairperson of the Hearing Panel, 2023 Rules of the Attorney Registration and Disciplinary Commission and Pre-Hearing Conference Procedures ("Complaint Packet").
6. On December 17, 2024, Affiant located in Law Manager the Respondent's last registered business address and phone numbers. Affiant called Respondent and the phone numbers were no longer valid.
7. On December 19, 2024, at 9:14 A.M., Affiant sent an email to deckert.john@gmail.com, the email address that Respondent used during the investigation of the charge that resulted in this action, to advise Respondent a complaint and associated documents were available via email. I requested Respondent to reply to my email to verify service. Respondent did not respond to my email communication.
8. Affiant, through investigative measures, discerned Respondent might be residing in Cypress, Texas.
9. On January 24, 2025 at 9:20 A.M., Affiant sent a certified mailing of the complaint and associated documents via United States Postal Service to the Cypress, Texas address. Affiant did not receive a certified mail return receipt.
10. On March 31, 2025, at 2:25 P.M., Affiant contacted the Harris County Texas Sheriff's Office who confirmed Respondent was not residing at the Cypress, Texas address.
11. Affiant personally contacted Respondent's former law partner to locate Respondent. Affiant learned that Respondent's former law partner does not know where Respondent is located and does not have any contact information for Respondent.
12. Presently, Affiant has not received any communication from the Respondent.

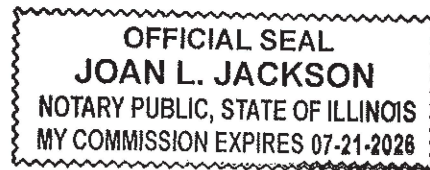
13. As set forth above, upon due inquiry, and to Affiant's best information and belief, Respondent cannot be found and or has concealed himself outside of the state, so that process cannot be served upon him.

14. Further Affiant sayeth not.


Mark Pointer
Investigator

Subscribed and sworn to before me
on this 3rd day of April, 2025


NOTARY PUBLIC



4919-3987-5887, v. 2