

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 20th day of July, 1988, the following order was made and entered.

Committee on Legal Ethics of the
West Virginia State Bar, Petitioner

vs.) No. 18066

William Emmett Lewis, Respondent

The Court having maturely considered the evidence in this matter, which consisted entirely of certified copies of the Oklahoma court's judgment and sentencing orders, where the respondent, William Emmett Lewis, plead guilty to two counts of embezzlement by trustee and to one count of possession of a controlled drug in the District Court of the 14th Judicial Circuit of the State of Oklahoma, is of opinion for reasons stated in writing and filed with the record that the respondent, William Emmett Lewis, has been guilty of violating DR-1-102(A)(3) of the Code of Professional Responsibility, and his license to practice law in the State of West Virginia should be annulled.

Accordingly, it is therefore adjudged and ordered that the license and authority of the respondent, William Emmett Lewis, to practice law in the State of West Virginia, be, and the same is hereby revoked and annulled.

The syllabus point adjudicated, prefixed to the written opinion prepared Per Curiam, was concurred in by Chief Justice McHugh and Justices Brotherton, Neely, Miller and McGraw.

Service of a copy of this order upon the respondent, William Emmett Lewis, by certified mail, return receipt requested, shall constitute sufficient notice of the contents hereof.

A True Copy

Attest 
Clerk, Supreme Court of Appeals

FILED

JUL 20 1988

NO. 18066

COMMITTEE ON LEGAL ETHICS
OF THE WEST VIRGINIA STATE BAR

Anita Ramsey
CLERK OF THE
SUPREME COURT OF APPEALS
OF WEST VIRGINIA

v.

WILLIAM EMMETT LEWIS

Disciplinary Proceeding

License to practice
law annulled.

Per Curiam

Syllabus

"In a court proceeding initiated by the Committee on Legal Ethics of the West Virginia State Bar to annul the license of an attorney to practice law, the burden is on the Committee to prove, by full, preponderating and clear evidence, the charges contained in the Committee's complaint.' Syl. Pt. 1, Committee on Legal Ethics v. Pence, 216 S.E.2d 236 (W. Va. 1975)." Syllabus point 1, Committee on Legal Ethics v. Walker, ___ W. Va. ___, 358 S.E.2d 234 (1987).

Per Curiam:

This is an attorney disciplinary proceeding brought by the Committee on Legal Ethics of The West Virginia State Bar against the respondent, William Emmett Lewis, formerly admitted to the practice of law in this State. The Committee recommends that the respondent's license to practice law be annulled. We believe the evidence justifies adoption of the Committee's recommendation.

On August 7, 1987, the respondent pleaded guilty to two counts of embezzlement by trustee and to one count of possession of a controlled drug in the District Court of the 14th Judicial Circuit of the State of Oklahoma. The respondent subsequently resigned from the practice of law in Oklahoma pending disciplinary proceedings.

In October 1987, the Committee on Legal Ethics of the West Virginia State Bar instituted proceedings in this Court to annul the respondent's license to practice law in this State on the ground that he had violated DR-1-102(A)(3) of the Code of Professional Responsibility, which prohibits lawyers from engaging in "illegal conduct involving moral turpitude." The evidence consists entirely of certified copies of the Oklahoma court's judgment and sentencing orders.

"In a court proceeding initiated by the Committee on Legal Ethics of the West Virginia State Bar to annul the license of an attorney to

practice law, the burden is on the Committee to prove, by full, preponderating and clear evidence, the charges contained in the Committee's complaint." Syl. pt. 1, Committee on Legal Ethics v. Pence, 216 S.E.2d 236 (W. Va. 1975).

Syllabus point 1, Committee on Legal Ethics v. Walker, ___ W. Va. ___, 358 S.E.2d 234 (1987). There has been no response by the respondent or rebuttal of the Committee's charges. The Committee must, therefore, be taken to have satisfied its burden of proof.

Accordingly, and for the reasons set out above, the license of the respondent, William Emmett Lewis, to practice law in this State is hereby annulled.

License to practice
law annulled.