

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on August 27, 2020, the following order was made and entered **in vacation**:

Office of Disciplinary Counsel,  
Petitioner

**RECEIVED**

vs.) No. 19-1064

**SEP 03 2020**

Michael J. Sharley, a member of  
The West Virginia State Bar,  
Respondent

**OFFICE OF  
DISCIPLINARY COUNSEL**

**ORDER**

On November 21, 2019, the petitioner, Office of Disciplinary Counsel, by Rachael L. Fletcher Cipoletti, Chief Lawyer Disciplinary Counsel, and Andrea J. Hinerman, Senior Lawyer Disciplinary Counsel, filed a petition seeking annulment of the law license of the respondent under Rule 3.18, Rules of Lawyer Disciplinary Procedure.

Thereafter, on December 19, 2019, the respondent, Michael J. Sharley, Jr., by counsel, Christopher K. Robertson, Jackson Kelly PLLC, filed a request for a mitigation hearing. The Office of Disciplinary Counsel filed an objection to the request for a mitigation hearing on January 2, 2020.

On July 13, 2020, the Court received the Hearing Panel Subcommittee of the Lawyer Disciplinary Board's ruling denying the request for a mitigation hearing. The respondent, by counsel, Christopher K. Robertson and Sarah A. Phipps, Jackson Kelly PLLC, filed an objection to the denial on July 23, 2020.

Having reviewed the Hearing Panel Subcommittee's decision denying the request for a mitigation hearing, the Court upholds the Hearing Panel Subcommittee's decision that a mitigation hearing is not warranted in this matter.

Upon consideration and review of the petition seeking annulment, the Court is of the opinion to and does hereby grant the petition. It is therefore ordered that the license to practice law in the State of West Virginia of the respondent, Michael J. Sharley, shall be, and it hereby is, **annulled**.

Service of a copy of this order upon Christopher K. Robertson, Esq. and Sarah A. Phipps, Esq., counsel for the respondent; the Office of Disciplinary Counsel, and the West Virginia State Bar shall constitute sufficient notice of the contents herein.

A True Copy

Attest: /s/ Edythe Nash Gaiser  
Clerk of Court

