

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
JAMES BRYAN PATTISON
2064

VSB Docket No: 06-000-

ORDER AND OPINION

This matter came before the Virginia State Bar Disciplinary Board (“Board”) for hearing on January 27, 2006, upon a Rule to Show Cause and Order of Suspension and Hearing entered on December 29, 2005 (“Rule”). A duly convened panel of the Board consisting of Robert L. Freed, presiding, Joseph R. Lassiter, Jr., Russell W. Updike, David R. Schultz, and Stephen A. Wannall, lay member, heard the matter. Edward L. Davis, assistant bar counsel, appeared on behalf of the Virginia State Bar (“VSB”). James Bryan Pattison (“Respondent”) did not appear. The court reporter for the proceeding, Valerie L. Schmit May, Post Office Box 9349, Richmond, Virginia, 23227, telephone (804) 730-1222, was duly sworn by the Chair.

All legal notices of the date and place were timely sent by the Clerk of the Disciplinary System (“Clerk”), in the manner prescribed by law. Part Six, §IV, ¶13(I)(7)(a) of the Rules of the Supreme Court, *Disbarment or Suspension in Another Jurisdiction* provides, in relevant part, that following the issuance of a show cause order and order of suspension, the Board shall serve upon the Respondent by certified mail a copy of the suspension or revocation notice, a copy of the Board’s Order, and a notice fixing the time and place of a hearing to determine what action should be taken in response to the suspension or revocation notice and stating the purpose of the hearing. The Board finds that the VSB has complied with these requirements by forwarding a

certified letter dated January 3, 2006, return receipt requested, to Respondent at both his address of record and at an alternate address obtained by the VSB.

The case was thrice called by the clerk, and the Respondent neither answered the docket call nor appeared to defend his interests. Respondent did not file a response to the Rule as required by ¶13(I)(7)(b). The Chair opened the hearing by polling the Board members to ascertain whether any member had any personal or financial interest or bias which would interfere with or influence each such member's determination, and each member responded that there were no such conflicts.

The Virginia State Bar Exhibits 1, 2 and 3 were admitted into evidence without objection. Exhibit 1 is the affidavit of Diana L. Balch, VSB director of membership, with attachments, setting forth the status of Respondent's membership with the VSB, which is not in good standing, and including an order from the Supreme Court of the State of Kansas, filed October 21, 2005, suspending his license to practice law in Kansas for a period of one year. Exhibit 2 is the disciplinary record of Respondent. Exhibit 3 is proof of notice to an alternate address provided for Respondent, as well as his address of record.

The Respondent has failed to assert a defense as provided in Part 6, §IV, ¶13(I)(7)(b) of the Rules of the Supreme Court. Accordingly, the Board must impose the same discipline imposed by the Supreme Court of the State of Kansas, to-wit: suspension of Respondent's license to practice law for a period of one year.

Upon consideration of the matters before this panel of the Board, it is hereby ORDERED that, pursuant to Part 6, §IV, ¶13(I)(7) of the Rules of the Supreme Court, the license of Respondent, James Bryan Pattison, to practice law in the Commonwealth of Virginia shall be, and is hereby, SUSPENDED for a period on one year beginning December 29, 2005.

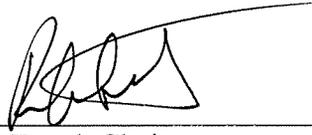
It is FURTHER ORDERED that, as directed in the Board's January 27, 2006 Summary Order in this matter, a copy of which was served on Respondent by certified mail, Respondent must comply with the requirements of Part 6, Section IV, Paragraph 13(M) of the Rules of the Supreme Court of Virginia. The Respondent shall forthwith give notice by certified mail, return receipt requested, of the suspension of one (1) year of his license to practice law in the Commonwealth of Virginia to all clients for whom he is currently handling matters and to all opposing attorneys and presiding judges in pending litigation. The Respondent shall give notice within fourteen (14) days of the effective date of the Summary Order and make such arrangements as are required within forty-five (45) days of the effective date of the order. The Respondent shall also furnish proof to the VSB within sixty (60) days, or on or before March 28, 2006, that such notices have been timely given and such arrangements made for the disposition of matters.

It is further ordered that if the Respondent is not handling any client matters on the effective date of the suspension, he shall submit an affidavit to that effect to the Clerk. All issues concerning the adequacy of the notice and arrangements required by ¶13(M) shall be determined by the Board, unless Respondent makes a timely request for a hearing before a three judge court.

It is ordered that Part Six, §IV, ¶13(B)(8)(c) of the Rules of the Supreme Court of Virginia, the Clerk shall assess all costs against Respondent.

It is further ordered that the Clerk shall send an attested copy of this Order and Opinion to Respondent, James Bryan Pattison, by certified mail, at his address of record, 727 North 6th Street, Sterling KS 67579; and to Edward L. Davis, Assistant Bar Counsel, 707 East Main Street, Suite 1500, Richmond, Virginia, 23219-2803.

SO ORDERED, this 10 day of February, 2006.

A handwritten signature in black ink, appearing to read 'R. Freed', is written over a horizontal line. The signature is stylized and cursive.

By: Robert L. Freed, Chair