

VIRGINIA:

BEFORE THE SECOND DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
JOHN GEORGE CRANDLEY

VSB Docket No. 13-021-094772

SUBCOMMITTEE DETERMINATION
(PUBLIC REPRIMAND WITH TERMS)

On October 30, 2013, a meeting was held in this matter before a duly convened Second District Subcommittee consisting of Bruce D. Jones, Jr., Chair Presiding, Kenneth N. Whitehurst, III, Member, and Nancy L. Bloom, Lay Member. During the meeting, the Subcommittee voted to approve an agreed disposition for a Public Reprimand with Terms pursuant to Part 6, § IV, ¶ 13-15.B.4. of the Rules of the Supreme Court of Virginia. The agreed disposition was subsequently entered into by the Virginia State Bar, by M. Brent Saunders, Assistant Bar Counsel, and John George Crandley, Respondent.

WHEREFORE, the Second District Subcommittee of the Virginia State Bar hereby serves upon Respondent the following Public Reprimand with Terms:

I. FINDINGS OF FACT

1. At all times relevant hereto, Respondent was licensed to practice law in the Commonwealth of Virginia.
2. On January 16-17, 2013, The Honorable H. Thomas Padrick, Jr. ("Judge Padrick") presided over a 2-day civil jury trial in the Virginia Beach Circuit Court (*Mary F. Staples v. Courtney Johnston*, Case No. CL11-4945) in which Respondent represented the defendant and Richard H. Roston ("Mr. Roston") represented the plaintiff.
3. During the trial, Respondent engaged in the following inappropriate conduct. Respondent was sarcastic and rude while cross-examining plaintiff's witnesses after having been instructed by Judge Padrick to cease such behavior. After Judge Padrick sustained an objection by Mr. Roston to Respondent's question of a

witness, Respondent commented "I recognize I don't have the same latitude you gave the other side...but anyway."

During his closing argument, Respondent personally attacked Mr. Roston by commenting Mr. Roston: perhaps would try to testify for the plaintiff, was not allowing Respondent to concede a point advantageous to his own client, and failed to mention certain facts during his closing argument that "reflect negatively on the plaintiff and perhaps also on her lawyer."

4. Immediately following the trial, Judge Padrick conducted a contempt hearing, during which he cataloged Respondent's inappropriate behavior during the trial, which Judge Padrick found "went way beyond the bounds of advocacy and zealously representing a client" and exhibited "a total lack of civility . . . to the point the Court would consider an obstruction of the administration of justice and the dignity of the Court." Judge Padrick entered an Order finding Respondent in contempt of court for "1. Being continually rude and sarcastic to the witnesses, having previously been admonished of the impropriety of such actions by the Court. 2. Arguing with the Court as to its rulings including one occasion in which he began shouting and advancing towards the bench with clenched fists. [and] 3. Personally attacking the plaintiff's counsel throughout the trial." In the Order, Judge Padrick specifically found that Respondent's actions "went way beyond the bounds of zealously representing his client, that such actions were misbehavior in the presence of the Court and as such obstructed the proper administration of justice."

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 3.4 Fairness To Opposing Party And Counsel

A lawyer shall not:

(d) Knowingly disobey or advise a client to disregard a standing rule or a ruling of a tribunal made in the course of a proceeding, but the lawyer may take steps, in good faith, to test the validity of such rule or ruling.

RULE 8.2 Judicial Officials

A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge or other judicial officer.

III. PUBLIC REPRIMAND WITH TERMS

Accordingly, having approved the agreed disposition, it is the decision of the Subcommittee to impose a Public Reprimand with Terms. The terms are as follows:

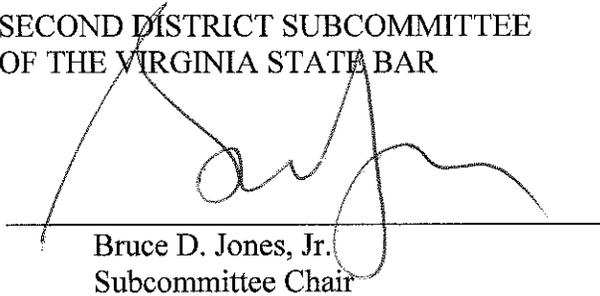
Respondent is placed on probation for a period of five (5) years commencing upon the issuance of this determination. During such probationary period, Respondent will not engage in

professional misconduct as defined by the Virginia Rules of Professional Conduct or the disciplinary rules of any other jurisdiction in which the Respondent is admitted to practice law. Any final determination that Respondent engaged in professional misconduct during this probationary period made by a District Subcommittee, District Committee, the Disciplinary Board, a Three-Judge Panel or the Supreme Court of Virginia shall conclusively be deemed to be a violation of this Term.

If the terms are not met, the alternate sanction shall be the suspension of Respondent's license to practice law in the Commonwealth of Virginia for a period of 90 days. Any proceeding initiated due to failure to comply with terms will be considered a new matter, and an administrative fee and costs will be assessed.

Pursuant to Part 6, § IV, ¶ 13-9.E. of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs.

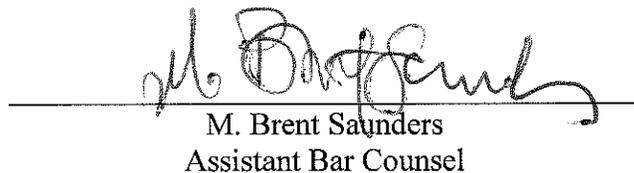
SECOND DISTRICT SUBCOMMITTEE
OF THE VIRGINIA STATE BAR



Bruce D. Jones, Jr.
Subcommittee Chair

CERTIFICATE OF MAILING

I certify that on the 10th day of NOVEMBER, 2013, a true and complete copy of the Subcommittee Determination (Public Reprimand With Terms) was sent by certified mail to John George Crandley, Respondent, at Preston, Wilson & Crandley, 2404 Potters Rd Ste 500, Virginia Beach, VA 23454, Respondent's last address of record with the Virginia State Bar.



M. Brent Saunders
Assistant Bar Counsel