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VIRGINIA :

AUG 5 2009

IN THE CIRCUIT COURT OF THE COUNTY OF CHESTERFIELD

VIRGINIA STATE BAR, EX REL
THIRD DISTRICT COMMITTEE

VSB CLERKS OFFICE

Complainant

v.

Case No. CL09-969

DENIS CHARLES ENGLISBY

Respondent

MEMORANDUM ORDER

THIS MATTER came before the Three Judge Panel consisting of the Honorable Gordon F. Willis, Chief Judge Designate, the Honorable Donald H. Kent, Retired, and the Honorable William C. Andrews, III, Retired, presiding on July 9, 2009. The Respondent, Denis Charles Englisby appeared in person pursuant to a duly noticed Rule to Show Cause dated May 14, 2009 appointing the time and place for the hearing. Respondent represented himself *pro se*. The Virginia State Bar was represented by Assistant Bar Counsel, Paulo E. Franco, Jr.; and it

FURTHER APPEARING that the Court swore in the Court Reporter and the parties presented opening statements and the Bar put on its case in chief and then rested. The Court then heard oral argument on the Respondent's Motion to Strike and after having considered argument overruled the Motion to Strike; and it

FURTHER APPEARING that the Respondent put on his case in chief and then rested; and it

FURTHER APPEARING that the Bar and the Respondent presented closing arguments; and it

FURTHER APPEARING that after having heard closing arguments of counsel the Three Judge Panel retired to deliberate on the Charges of Misconduct and after having duly deliberated on the matter announced its findings in open court; it is therefore

ORDERED, for the reasons stated from the bench that each of the Charges of Misconduct set forth in the Certification of the Third District Section I Committee date March 12, 2009 are dismissed pursuant to Part 6, Section IV, Paragraph 13-18.L of the Rules of the Supreme Court of Virginia for lack of clear and convincing evidence.

The proceedings in this matter were transcribed by Chandler & Halasz, P.O. Box 9349, Richmond, Virginia 23227.

The Clerk of the Circuit Court shall forward attested copies of this Order to Respondent, Bar Counsel and to the Clerk of the Disciplinary System of the Virginia State Bar.

THIS ORDER IS FINAL

ENTERED this 27 day of July, 2009



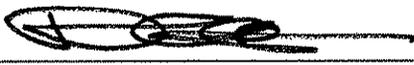
The Hon. Gordon F. Willis
Chief Judge Designate

A COPY TESTE:
JUDY L. WORTHINGTON, CLERK
BY C. Y. Goerle
DEPUTY CLERK

SEEN AND OBJECTED TO ON THE GROUNDS THAT BAR PRODUCED CLEAR AND CONVINCING EVIDENCE OF THE RESPONDENT'S MISCONDUCT:

By: 
Paulo E. Craneo, Jr.
Assistant Bar Counsel
Virginia State Bar
707 East Main Street, 15th Floor
Richmond, Virginia 23219

SEEN AND AGREED:

By: 
Denis Charles Englisby
PO Box 85
Chesterfield, Virginia 23832