

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

Joshua Jesse Robert Gessler

VSB Docket No. 11-000-085193

Attorney at Law

On June 8, 2011, came Joshua Jesse Robert Gessler and presented to the Board an Affidavit In Support of Consent to Revocation of his license to practice law in the courts of this Commonwealth. By tendering his Consent to Revocation at a time when disciplinary charges are pending, he admits that the charges in the attached Rule to Show Cause and Order of Suspension and Hearing are true.

The Board having considered the said Affidavit In Support of Consent to Revocation, and Bar Counsel having no objection, the Board accepts his Consent to Revocation. Accordingly, it is ordered that the license to practice law in the courts of this Commonwealth heretofore issued to the said Joshua Jesse Robert Gessler be and the same hereby is revoked, and that the name of the said Joshua Jesse Robert Gessler be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 10th day of June, 20 11

For the Virginia State Bar Disciplinary Board

By *Barbara S. Lanier*
Barbara Sayers Lanier, Clerk of the Disciplinary System

RECEIVED

JUN 8 2011

AFFIDAVIT IN SUPPORT OF CONSENT TO REVOCATION FROM THE PRACTICE OF LAW IN THE COMMONWEALTH OF VIRGINIA

I, Joshua Jesse Robert Gessler, pursuant to 13-28 of the Commonwealth of Virginia Rules of Professional Conduct hereby consent to the revocation of my license to practice law in the Commonwealth of Virginia. This consent is freely and voluntarily given and is not the product of duress. I am fully aware of the implications of my choice to consent to the revocation of my license to practice law. Since submitting an affidavit in support of my resignation of my law license pursuant to Rule 13-27, I received and am now aware of a Rule to Show Cause issued by the Clerk of the Virginia State Bar arising from my recent convictions in the Fairfax County Circuit Court for multiple felony offenses of possession of child pornography. I understand and acknowledge that if the disciplinary proceedings against me were brought to a conclusion, I would not be successful in defending myself.



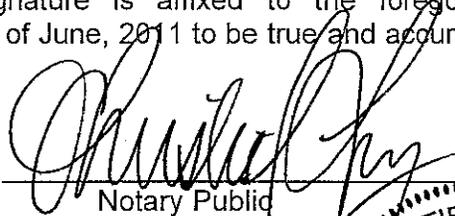
JOSHUA JESSE ROBERT GESSLER
72136

Virginia State Bar Number
6/2/2011

DATE

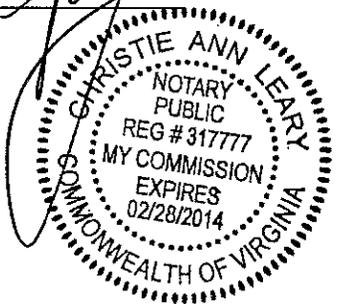
COMMONWEALTH OF VIRGINIA :
:
COUNTY OF FAIRFAX :

I, the undersigned authority in and for the County and State aforesaid, do hereby certify that Joshua Jesse Robert Gessler, whose signature is affixed to the foregoing, has acknowledged the same before me on this 2nd day of June, 2011 to be true and accurate to the best of his/her knowledge and belief.



Notary Public

My Commission Expires: 2/28/14



VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
JOSHUA JESSE ROBERT GESSLER

VSB Docket No. 11-000-085193

RULE TO SHOW CAUSE
AND
ORDER OF SUSPENSION AND HEARING

It appearing to the Board that Joshua Jesse Robert Gessler was licensed to practice law within the Commonwealth of Virginia on April 27, 2006; and,

It further appearing that Joshua Jesse Robert Gessler pleaded guilty to and was found guilty of Possession of Child Pornography, as charged on Count 1, in the Circuit Court of Fairfax County on March 28, 2011, Criminal No. FE-2010-1909; and

It further appearing that Joshua Jesse Robert Gessler pleaded guilty to and was found guilty of Contributing to the Delinquency of a Minor; and four counts of Possession of Child Pornography, in the Circuit Court of Fairfax County on March 31, 2011, Criminal Number FE-2010-1932;

It further appearing that Joshua Jesse Robert Gessler has been convicted of crimes, as defined by the Rules of Court, Part 6, Section IV, and Paragraph 13-22 A.

It is ORDERED, pursuant to the Rules of Court, Part 6, Section IV, Paragraph 13-22, that the license of Joshua Jesse Robert Gessler to practice law within the Commonwealth of Virginia be, and the same is, hereby SUSPENDED, effective upon entry of this order.

It is further ORDERED that Joshua Jesse Robert Gessler appear before the Virginia State Bar Disciplinary Board at the Lewis F. Powell, Jr. U.S. Courthouse, Tweed Courtroom, Tenth & Main Street, 1000 E. Main Street, Richmond, VA 23219, at 9:00 a.m., on Friday, June 24, 2011, to show cause why his license to practice law within the Commonwealth of Virginia should not be further suspended or revoked.

It is further ORDERED that Joshua Jesse Robert Gessler shall forthwith give notice, by certified mail, of the suspension of his license to practice law in Virginia to all clients for whom he is currently handling matters and to all opposing attorneys and the presiding judges in pending litigation. The Attorney shall also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of his clients. The Attorney shall give such notice within fourteen (14) days of the effective date of the suspension order, and make such arrangements as are required herein within forty-five (45) days of the effective date of the suspension order. The Attorney shall also furnish proof to the bar within sixty (60) days of the effective date of the suspension order that such notices have been timely given and such arrangements for the disposition of matters made. Issues concerning the adequacy of the notice and arrangements required herein shall be determined by the Disciplinary Board, which may impose a sanction of revocation or suspension for failure to comply with the requirements of this subparagraph.

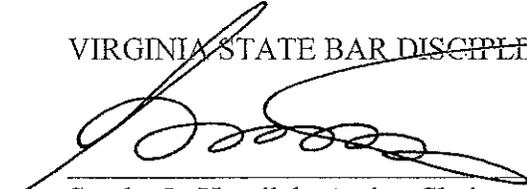
It is further ORDERED that a copy of the Indictments and Conviction Orders, be attached to this Rule to Show Cause and Order of Suspension and Hearing and made a part hereof.

It is further ORDERED that an attested copy of this Rule to Show Cause and Order of Suspension and Hearing, with attachments, shall be mailed to Joshua Jesse Robert Gessler, by

certified mail at his address of record with the Virginia State Bar, Arnold & Porter LLP, Suite 900, 1600 Tysons Boulevard, McLean, VA 22102, to Respondent's Counsel Peter D. Greenspun, Greenspun, Shapiro, Davis & Leary, P.C., 3955 Chain Bridge Road, Fairfax, VA 22030, and to Paulo E. Franco, Assistant Bar Counsel, Virginia State Bar, Eighth and Main Building, 707 East Main Street, Suite 1500, Richmond, Virginia 23219.

ENTERED THIS 24th DAY OF May, 2011.

VIRGINIA STATE BAR DISCIPLINARY BOARD



Sandra L. Havrilak, Acting Chair

RECEIVED

APR 11 2011

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

PO BOX 10000

COMMONWEALTH OF VIRGINIA)	CRIMINAL NUMBER FE-2010-1909
VERSUS)	
JOSHUA JESSE ROBERT GESSLER)	INDICTMENT - POSSESSION OF CHILD PORNOGRAPHY (10 COUNTS)

On March 28, 2011, Jonathan Phillips, the Assistant Commonwealth's Attorney, JOSHUA JESSE ROBERT GESSLER, the Defendant, and Peter Greenspun, Counsel for the Defendant, appeared before this Court. The Defendant is indicted for the felony of POSSESSION OF CHILD PORNOGRAPHY (10 COUNTS) and he appeared while on bond.

The Defendant was arraigned upon Count I of the indictment, and the Defendant, in person and in writing signed by him, entered a plea of guilty to Count I. The Court accepted the plea of guilty to Count I and made it a part of the record after making specific inquiries of the Defendant and determining that the plea was made voluntarily and with full understanding of the nature of the charge and the consequences of the plea.

In consideration of the Defendant's plea of guilty and the evidence heard, the Court found JOSHUA JESSE ROBERT GESSLER guilty of POSSESSION OF CHILD PORNOGRAPHY, as charged in Count I.

The Court granted, without objection by the Defendant or his Counsel, the Assistant Commonwealth's Attorney's motion to nolle prosequi Count II, Count III, Count IV, Count V, Count VI, Count VII, Count VIII, Count IX and Count X. The Court **ORDERED** that Count II, Count III, Count IV, Count V, Count VI, Count VII, Count VIII, Count IX and Count X of the indictment be nolle prosequied.

The Court referred this case to the District Probation Officer for investigation and report before sentencing. This case was continued to May 27, 2011 at 10:00 a.m., for sentencing.

The Court **ORDERED** that any bond previously set in this case be revoked.

The Defendant was remanded to the custody of the Sheriff.

Entered on ^{April} ~~March~~ 6, 2011.

A COPY TESTE:
JOHN T. FREY, CLERK

BY: [Signature]
Deputy Clerk

Date: 4-6-11
Original retained in the office of
the Clerk of the Circuit Court of
Fairfax County, Virginia

[Signature]
JUDGE JANE MARUM ROUSH

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

APR 11 2011

January 18, 2011

COMMONWEALTH OF VIRGINIA)

vs.)

JOSHUA JESSE ROBERT GESSLER)

INDICTMENT FOR POSSESSION

OF CHILD PORNOGRAPHY

COUNT I

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #FA350A.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT II

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #8D518B.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

FE-10-1909

COUNT III

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #B449AC.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT IV

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #D878B3.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT V

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #7946A5.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT VI

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #6E138B.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT VII

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #3D9CB9.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT VIII

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #0A8FD7.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT IX

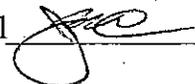
The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #519697.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

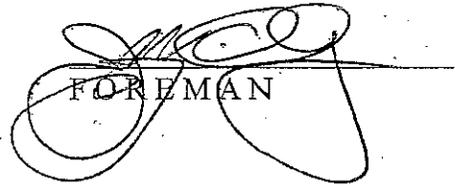
COUNT X

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 9th day of August, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA file #6B8487.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

A True Bill 

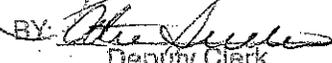
No True Bill


FOREMAN

Witnesses subpoenaed, sworn and available to testify before the Grand Jury:

Det. J. L. Wagner, Fairfax County Police Dept.

A COPY TESTE:
JOHN F. FREY, CLERK

BY: 
Deputy Clerk

Date: 4-6-11
Original retained in the office of the Clerk of the Circuit Court of Fairfax County, Virginia

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA) CRIMINAL NUMBER FE-2010-1932
VERSUS)
JOSHUA JESSE ROBERT GESSLER) INDICTMENT - PRODUCTION OF
CHILD PORNOGRAPHY (COUNT I) and
POSSESSION OF CHILD
PORNOGRAPHY (COUNTS II, III, IV, V,
& VI)

On March 28, 2011, Jonathan Phillips, the Assistant Commonwealth's Attorney, JOSHUA JESSE ROBERT GESSLER, the Defendant, and Peter Greenspun, Counsel for the Defendant, appeared before this Court. The Defendant is indicted for the felonies of PRODUCTION OF CHILD PORNOGRAPHY (COUNT I) and POSSESSION OF CHILD PORNOGRAPHY (COUNTS II, III, IV, V, & VI) and he appeared while on bond.

The Assistant Commonwealth's Attorney moved to amend the indictment in Count I, which motion the Court granted without objection by the Defendant or his Counsel, to wit: by striking the words "did unlawfully and feloniously, knowingly or intentionally, produce or make sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age" and by adding the words "being a person 18 years of age or older, did engage in consensual sexual intercourse with T.S., a child 15 years of age or older who was not his spouse, child, or grandchild."; amending the charge to a misdemeanor of Contributing to the Delinquency of a Minor.

The Defendant was arraigned upon the amended indictment on Count I; the indictment on Count II, Count III, Count IV and Count V, and the Defendant, in person and in writing signed by him, entered a plea of guilty to each Count. The Court accepted the plea of guilty to each Count and made them a part of the record after making specific inquiries of the Defendant and determining that the plea was made voluntarily and with full understanding of the nature of the charge and the consequences of the plea.

In consideration of the Defendant's plea of guilty to each Count and the evidence heard, the Court found JOSHUA JESSE ROBERT GESSLER guilty of CONTRIBUTING TO THE DELINQUENCY OF A

MINOR, (Count I) and POSSESSION OF CHILD PORNOGRAPHY, (Count II, Count III, Count IV and Count V.

The Court granted, without objection by the Defendant or his Counsel, the Assistant Commonwealth's Attorney's motion to nolle prosequi Count VI. The Court **ORDERED** that Count VI of the indictment be nolle prosequied.

The Court referred this case to the District Probation Officer for investigation and report before sentencing. This case was continued to May 27, 2011 at 10:00 a.m., for sentencing.

The Assistant Commonwealth's Attorney moved the Court to revoke the Defendant's bond, which motion the Court, after hearing argument, granted.

The Court **ORDERED** that any bond previously set in this case be revoked.

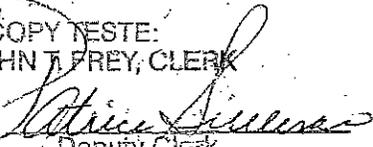
The Defendant was remanded to the custody of the Sheriff.

Entered on March 31, 2011.



JUDGE JANE MARUM ROUSH

A COPY TESTE:
JOHN T. FREY, CLERK

BY: 
Deputy Clerk

Date: 4-6-11
Original retained in the office of
the Clerk of the Circuit Court of
Fairfax County, Virginia

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

January 18, 2011

COMMONWEALTH OF VIRGINIA)

vs.)

JOSHUA JESSE ROBERT GESSLER)

) INDICTMENT FOR PRODUCTION
) OF CHILD PORNOGRAPHY AND
) POSSESSION OF CHILD PORNOGRAPHY

COUNT I

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 22nd day of April, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally, produce or make sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age.

Va. Code §18.2-374.1
VCC OBS-3750-F9

COUNT II

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 22nd day of April, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA1 value JEKT5CLVN7550207HSKJDF3GDLDEZDIR.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

See amended

FE-10-1932

COUNT III

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 22nd day of April, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA1 value 44YNFF3QLWEZVG4ACCOKPSVOCPJ7FBON.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT IV

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 22nd day of April, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA1 value UDON4EY4OSJJQNY76O25F5A77HTBZE4A.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT V

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 22nd day of April, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA1 value

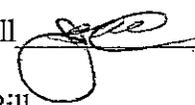
QEMT3BFNJEFFR6P3KX36YFENYJRZWIUC.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

COUNT VI

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Fairfax, and now attending the said Court at its January Term, 2011, charges that: On or about the 22nd day of April, 2010, in the County of Fairfax, Joshua Jesse Robert Gessler did unlawfully and feloniously, knowingly or intentionally possess sexually explicit visual material utilizing or having as a subject a person less than eighteen (18) years of age, to wit: SHA1 value UR4DRBVOJXD5D545L3R2WFJCRY3OST6Y.

Va. Code §18.2-374.1:1
VCC OBS-3731-F6

A True Bill 

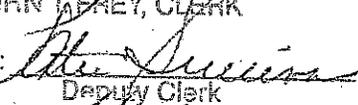
No True Bill _____


FOREMAN

Witnesses subpoenaed, sworn and available to testify before the Grand Jury:

Det. J. L. Wagner, Fairfax County Police Dept.

A COPY TESTE:
JOHN T. FREY, CLERK

BY: 
Deputy Clerk

Date: 4-6-11
Original retained in the office of the Clerk of the Circuit Court of Fairfax County, Virginia

FE-10
1932