

VIRGINIA:

AUG 5 2014

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF
ROGER KENT GRILLO

VS B DOCKET NO. 15-000-100140

CONSENT ORDER OF IMPAIRMENT SUSPENSION

WHEREAS the Virginia State Bar, by counsel, and Roger Kent Grillo, Respondent, *pro se*, request entry of an order suspending Roger Kent Grillo's license to practice law in the Commonwealth of Virginia on the basis that he has an Impairment as that term is defined in Part Six, Section IV, Paragraph 13 of the Rules of the Supreme Court of Virginia; and

WHEREAS Roger Kent Grillo acknowledges and represents that he is suffering from severe depression which materially impairs his fitness to practice law and has caused him: i) to close his office and cease practicing law; and ii) to have his privilege to practice before the United States Bankruptcy Court for the Eastern District of Virginia (Norfolk Division) terminated pursuant to a consent order entered by that Court on June 19, 2014, on the basis that his health renders him incapable of adequately representing clients before that Court (See Exhibit A attached hereto); and

WHEREAS the Disciplinary Board hereby finds that Roger Kent Grillo suffers from severe depression which materially impairs his fitness to practice law, and that he has an Impairment as that term is defined in Part Six, Section IV, Paragraph 13 of the Rules of the Supreme Court of Virginia.

Based on the foregoing, and the consent of Roger Kent Grillo and the Virginia State Bar, and it otherwise appearing proper so to do, it is hereby ORDERED pursuant to Part Six, Section IV, Paragraph 13-23 of the Rules of the Supreme Court of Virginia, that

Roger Kent Grillo's license to practice law in the Commonwealth of Virginia shall be and hereby is SUSPENDED indefinitely upon entry of this Order due to Impairment and shall remain suspended until it is established that he no longer suffers from an Impairment.

It is further ORDERED that Roger Kent Grillo shall give notice, by certified mail, of the suspension 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, and shall make appropriate arrangements for the disposition of any matters presently in his care in conformity with the wishes of his clients, pursuant to the requirements of Part Six, Section IV, Paragraph 13-29 of the Rules of the Supreme Court of Virginia.

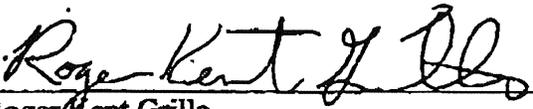
It is further ORDERED that the Clerk of the Disciplinary System shall send a certified copy of this Order by certified mail to Roger Kent Grillo at his last address of record with the Virginia State Bar: P.O. Box 420, Accomac, VA 23301-0420, and at 23321 Courthouse Avenue, Accomac, Virginia 23301; and shall deliver a copy to M. Brent Saunders, Assistant Bar Counsel, 1111 E. Main Street, Suite 700, Richmond, Virginia 23219-3565.

ENTERED THIS 5th DAY OF AUGUST, 2014

VIRGINIA STATE BAR DISCIPLINARY BOARD



WE ASK FOR THIS:



Roger Kent Grillo
Respondent



M. Brent Saunders
Assistant Bar Counsel

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

In re: Christopher J. Irons,

**Case No. 13-73768-SCS
Chapter 13**

**In re: Calvin Cropper,
Calissa Cropper,**

**Case No. 13-72274-SCS
Chapter 7**

In re: Michael T. Seelsi,

**Case No. 14-70068-SCS
Chapter 13**

CONSENT ORDER

On April 28, 2014 and May 13, 2014, this Court issued Orders to Show Cause in the three above-captioned cases outlining its concerns with the adequacy of the representation provided by Roger Grillo to the debtors in each case. A hearing was convened on May 29, 2014, at which Mr. Grillo, counsel for the U.S. Trustee, Chapter 13 Trustee R. Clinton Stackhouse, Jr., and Chapter 7 Trustee Carolyn L. Camardo were present. The matters were continued to June 19, 2014. At the June 19, 2014 hearing, Mr. Grillo presented to the Court his intention to wind up his legal practice and requested that he be removed from the roll of attorneys authorized to practice before the United States Bankruptcy Court for the Eastern District of Virginia. Based upon the consent of Mr. Grillo, the agreement of the parties evidenced by the signatures below, and for good cause shown, the Court makes the following findings of fact and conclusions of law:

1. Mr. Grillo has represented to the Court that his health has rendered him incapable of adequately representing clients before this Court.
2. It is Mr. Grillo's intention to voluntarily withdraw his membership in the bar of this Court, and to be removed from the roll of attorneys licensed to practice before this Court.

Cecelia A. Weschler, Esq., VSB No. 28245
Kenneth N. Whitehurst, III, Esq., VSB No. 48919
Office of the United States Trustee
200 Granby Street, Room 625
Norfolk, VA 23510
(757) 441-6012

**VSB
EXHIBIT**

A

3. Per this Court's Orders of June 3, 2014, Mr. Grillo has met with James L. Pedigo, Esquire, a member of the bar of this Court, to obtain assistance in complying with this Court's orders, and in representing his clients before this Court.

4. Mr. Grillo has concluded that he is incapable of continuing to represent clients before this Court, and that his clients would be better served with other counsel.

5. Mr. Grillo notified the United States Trustee of his decision to seek to withdraw as a member of this Court's bar on June 17, 2014.

6. Mr. Grillo intends to assist his clients in any way he can to obtain new counsel.

7. The United States Trustee and Mr. Pedigo have agreed to assist Mr. Grillo in securing new counsel for the debtors in these cases, and in all other cases in which he is counsel of record.

IT IS HEREBY ORDERED that:

A. Roger K. Grillo is hereby removed from the roll of attorneys admitted to practice before bar of this Court.

B. The privilege of Roger K. Grillo to practice before the United States Bankruptcy Court for the Eastern District of Virginia is hereby terminated.

C. The privilege of Roger K. Grillo to file pleadings and documents using this Court's Case Management / Electronic Case filing System is hereby terminated.

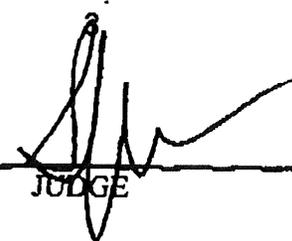
D. Roger K. Grillo shall make every effort to obtain new counsel for the debtors in the above-captioned cases, and all other clients he currently represents before the bar of this Court.

E. Nothing herein shall limit, enlarge or impact any claims, causes of action, or defenses by or between Mr. Grillo and any of his clients in cases pending before this Court.

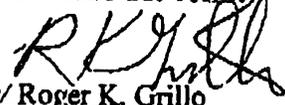
F. The Bankruptcy Court shall retain jurisdiction to enforce this order.

G. The entry of this order shall not be deemed to be a disciplinary ruling by the United States Bankruptcy Court.

DATE: 6/19/14

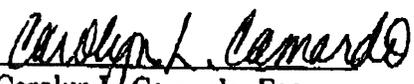
ENTER: 
JUDGE

WE ASK FOR THIS:


/s/ Roger K. Grillo
Roger K. Grillo, Esq.
Debtors' counsel


/s/ Kenneth N. Whitehurst, III
Kenneth N. Whitehurst, III, Esq.
Office of the United States Trustee


/s/ Kelly M. Barnhart
Kelly M. Barnhart, Esq.
Counsel for R. Clinton Stackhouse,
Chapter 13 Trustee


Carolyn L. Camardo, Esq.
Chapter 7 Trustee

CERTIFICATE OF ENDORSEMENT

I hereby certify that, pursuant to the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia, the foregoing Order has been endorsed by or served upon all necessary parties.

/s/ Kenneth N. Whitehurst, III

NOTICE OF JUDGMENT OR ORDER
Entered on docket 6-19-14