

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

MARTIN RAY JOHNSON

VSB Docket No. 11-032-086381

Attorney at Law

On April 19, 2011, came Martin Ray Johnson and presented to the Board an Affidavit Declaring 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 Affidavit Declaring Consent to Revocation document are true.

The Board having considered the said Affidavit Declaring 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 Martin Ray Johnson be and the same hereby is revoked, and that the name of the said Martin Ray Johnson be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 21st day of April, 2011

For the Virginia State Bar Disciplinary Board

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

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VIRGINIA:

APR 19 2011

BEFORE THE THIRD DISTRICT COMMITTEE OF THE VIRGINIA STATE BAR

IN THE MATTER OF
MARTIN RAY JOHNSON

VS B Docket No. 11-032-086381

RECEIVED
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VIRGINIA STATE BAR

AFFIDAVIT DECLARING CONSENT TO REVOCATION

Martin Ray Johnson, after being duly sworn, states as follows:

1. That Martin Ray Johnson was licensed to practice law in the Commonwealth of Virginia on 10/09/1987;

2. That Martin Ray Johnson submits this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28.

3. That Martin Ray Johnson's consent to revocation is freely and voluntarily rendered, that Martin Ray Johnson is not being subjected to coercion or duress, and that Martin Ray Johnson is fully aware of the implications of consenting to the revocation of his license to practice law in the Commonwealth of Virginia;

4. Martin Ray Johnson is aware that there is currently pending a complaint and an investigation into allegations of misconduct, the docket number(s) for which is set forth above, and the specific nature of which is here set forth:

a. On October 12, 2010, Respondent failed to appear for a jury trial in which Respondent represented Plaintiff Estelle Newcomb. The matter for which Respondent failed to appear was styled as Estelle Newcomb v. Micky Sampson, et. al., Case No. CL08-34, pending in the Circuit Court of the County of Middlesex.

b. The Court continued the October 12, 2010, trial due to Respondent's failure to appear.

- c. On October 13, 2010, attorney Joseph Grove, Esq., advised the Clerk's Office for the Circuit Court of the County of Middlesex that Respondent had abandoned his law practice.
- d. The Court subsequently issued a Show Cause against Respondent. The return reflected that Respondent was "not found".
- e. By Order entered November 23, 2010, the Court substituted Joseph Grove, Esq., as counsel in the Newcomb matter, and the Court noted that Respondent's failure to appear at trial was unexplained and continued. From the October 12, 2010, trial to the November 23, 2010, entry of the Order of Substitution, Respondent had failed to communicate with the Court.
- f. On December 29, 2010, the Circuit Court of the County of Middlesex provided the Virginia State Bar with the foregoing information regarding Respondent's failure to appear at the October 12, 2010, trial and his continued failure to communicate with the Court.
- g. Subsequently, the Bar's investigator has tried, without success, to locate Respondent. Respondent did not respond to an e-mail from the Bar's investigator.
- h. A March 19, 2011, computer search by the Bar's investigator, revealed a blog in the name of Martin R. Johnson, Attorney at Law, Just another WordPress.com weblog, which states "I am no longer practicing law in Virginia Sincerely, Martin R. Johnson."
- i. In connection with the Bar's investigation, Joseph Grove, Esq., has advised the Bar's investigator that Respondent has abandoned his practice and left the jurisdiction. He further states that it is his understanding that Respondent has no intention of practicing law now or in the near future.

At a minimum, such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rule of Professional Conduct:

RULE 1.3 Diligence

- (a) A lawyer shall act with reasonable diligence and promptness in representing a client.

5. Martin Ray Johnson acknowledges that the material facts upon which the

allegations of misconduct are predicated are true; and

6. Martin Ray Johnson submits this Affidavit and consents to the revocation of his license to practice law in the Commonwealth of Virginia because he knows that if the disciplinary proceedings based on the said alleged misconduct were brought or prosecuted to a conclusion, he could not successfully defend them.

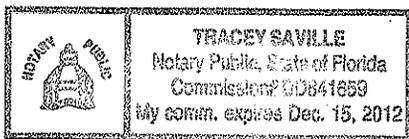
Executed and dated on April 12, 2011.

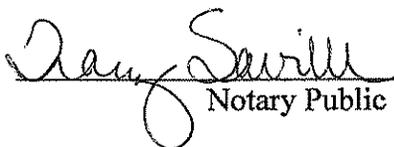


Martin Ray Johnson
Respondent

State of Florida
~~COMMONWEALTH OF VIRGINIA~~
CITY/COUNTY OF Charlotte, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by Martin Ray Johnson on April 12, 2011.





Notary Public

My Commission expires: 12/15/12.