

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF  
WRIGHT HAYDEN LEWIS

VS. DOCKET NO.: 17-000-107011

**MEMORANDUM ORDER**

**THIS MATTER** came on to be heard on October 28, 2016, on the Rule to Show Cause and Order of Summary Suspension and Hearing (the "Rule to Show Cause") entered by the Virginia State Bar Disciplinary Board ("Board") on September 30, 2016, pursuant to Part Six, § IV, ¶ 13-22(A) of the Rules of the Virginia Supreme Court ("Rules"). This matter was heard before a duly convened panel of the Board consisting of William H. Atwill, Jr., Chair, Richard J. Colten, Jeffrey L. Marks, T. Tony H. Pham, and Sandra W. Montgomery, Lay Member. The Virginia State Bar ("Bar" or "VSB") was represented by Christine Corey, Assistant Bar Counsel. The Respondent, Wright Hayden Lewis, appeared in person and represented himself at the hearing. Jennifer L. Hairfield, court reporter, of Chandler & Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone 804/730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

The Chair polled the members of the Board Panel as to whether any of them was conscious of any personal or financial interest or bias which would preclude any of them from fairly hearing this matter and serving on the panel, to which inquiry each member responded in the negative.

All legal notices of the date and place of the hearing were timely sent by the Clerk of the Disciplinary System ("Clerk") in the manner prescribed by law.

### **PROCEDURAL BACKGROUND**

Following notification to the Bar by the Respondent-Attorney in this matter of his conviction in the Circuit Court of Fairfax County, Virginia, of a felony offense, the Board on September 30, 2016, entered the subject Rule to Show Cause pursuant to Part Six, § IV, ¶ 13-1 of the Rules, suspending Respondent's license to practice law within the Commonwealth of Virginia effective October 7, 2016, and ordering him to appear before the Board at a hearing to show cause why his license should not be further suspended or revoked.

### **PROCEEDINGS AND FINDINGS OF FACT**

VSB Exhibits 1-5 were initially admitted into evidence without objection. The Respondent offered no exhibits.

Following Respondent's stipulation to his conviction of a felony and introduction of pertinent Bar exhibits demonstrating his indictment, guilty plea, conviction and sentencing, the Board recessed to deliberate on the issue whether the Bar had proved by clear and convincing evidence Respondent's conviction of a crime.

Part Six, § IV, ¶ 13-22(A) of the Rules provides, in relevant part, that when the Clerk of the Disciplinary System receives written notification from any court of competent jurisdiction stating that an attorney has been found guilty or convicted of a crime by a judge or jury, pled guilty to a crime, or entered a plea wherein the facts found by a court would justify a finding of guilt, irrespective of whether sentencing has occurred, a member of the Board shall forthwith and summarily enter an Order of Suspension requiring the respondent attorney to appear at a specified time and place for a hearing before the Board to show cause why the respondent's license to practice law should not be further suspended or revoked.

Based upon VSB Exhibits 1-5 and the Respondent's stipulation to his conviction of the offense of felony hit and run in violation of Va. Code Ann. § 46.2-894 (2016) ("Code § 46.2-894"), the Board deliberated and determined that the Bar met its burden of proving by clear and convincing evidence Respondent's conviction of a crime. The Board found the following findings of fact on the basis of clear and convincing evidence:

1. Respondent was licensed to practice law in the Commonwealth of Virginia on October 20, 2010.

2. On April 19, 2016, Respondent entered a plea of guilty and was convicted in the Circuit Court of Fairfax County, Virginia, on an indictment alleging a felony violation of Code § 46.2-894 for failing to stop after an accident involving injury or death.

3. On June 6, 2016, the Fairfax County Circuit Court sentenced the Respondent to incarceration upon such conviction for a term of 180 days, with 176 days of the sentence to be suspended.

Thereafter, the Board received evidence and heard argument from the Respondent and the Bar incident to Respondent's burden to show cause why his license to practice law should not be further suspended or revoked. The Respondent called himself and his stepmother, Jean Lewis, as witnesses. The Board received into evidence, without objection, the Sentencing Memorandum from the Circuit Court of Fairfax County (VSB Exhibit 6) and the Bar's certification that Respondent has no prior public or private disciplinary record (VSB Exhibit 7). The Bar called William H. Sterling, III, an investigator with the VSB. Following such testimony, the Board again recessed to deliberate and determined that the Respondent had not shown cause, by clear and convincing evidence, why his license to practice law in the Commonwealth of Virginia should not be further suspended or revoked.

The Board then recessed to deliberate as to an appropriate sanction. After due deliberation, the Board reconvened to announce the sanction imposed. The Chair announced the sanction as suspension of the Respondent's license to practice law in the Commonwealth of Virginia for a period of nine months, effective October 7, 2016, conditioned upon his compliance with additional terms as announced and set forth herein.

Accordingly, it is ORDERED that the Respondent's license to practice law in the Commonwealth of Virginia is SUSPENDED for a period of nine months, effective October 7, 2016, conditioned upon his compliance with the following terms:

1. On or before November 30, 2016, Respondent shall take all steps necessary to complete an intake assessment with Lawyers Helping Lawyers.

2. Thereafter, Respondent shall enter into and successfully complete a two-year commitment with Lawyers Helping Lawyers.

It is further ORDERED that the alternative disposition hereby adopted is that Respondent's license to practice law in the Commonwealth of Virginia shall be SUSPENDED for an additional two-year period, upon the Respondent's failure to comply with the foregoing terms in the manner and at the time that compliance is required. In the event of alleged noncompliance with the foregoing terms, a hearing will be convened upon an order for the Respondent to show cause why the alternative disposition should not be imposed. At such hearing, the Respondent shall have the burden of proving compliance or good cause for the alleged noncompliance by clear and convincing evidence.

It is further ORDERED that Respondent has heretofore complied with the requirements of Part Six, § IV, ¶ 13-29 of the Rules, as directed in the Board's October 28, 2016, Show Cause Summary Order in this matter.

It is further ORDERED that pursuant to Part Six, § IV, ¶ 13-9(E) of the Rules, the Clerk of the Disciplinary System shall assess all costs against the Respondent.

It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this order by certified mail, return receipt requested to Respondent at his address of record with the Virginia State Bar, being Wright Hayden Lewis, Hayden Lewis PLLC, 46693 Welton Terrace, Potomac Falls, Virginia 20165; and by hand delivery to Christine Corey, Assistant Bar Counsel, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, Virginia 23219-0026.

ENTERED this \_\_ 8th \_\_ day of \_\_ November \_\_, 2016.

VIRGINIA STATE BAR DISCIPLINARY BOARD

**William H.**  
By **Atwill**

Digitally signed by William H. Atwill  
DN: cn=William H. Atwill, o=Virginia  
State Bar, ou=Disciplinary Board,  
email=batwill@atandlpc.com, c=US  
Date: 2016.11.08 09:30:49 -05'00'

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William H. Atwill, Jr., Chair