

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

James Fred Sumpter
Attorney at Law

VSJ Docket No. 17-000-107369

On October 14, 2016, came James Fred Sumpter 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 allegations of Misconduct are pending, the nature of which are specifically set forth in the attached affidavit, Respondent acknowledges that that the material facts upon which the allegations of Misconduct are pending 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 James Fred Sumpter be and the same hereby is revoked, and that the name of the said James Fred Sumpter be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 19th day of October, 2016

Virginia State Bar Disciplinary Board

By John A. C. Keith
John A.C. Keith
2nd Vice Chair

Digitally signed by John A. C. Keith
DN: cn=John A. C. Keith, o=Users, ou=DN, email=jkeith@bklawva.com, c=US
Date: 2016.10.19 11:29:31 -0400

Oct 14, 2016

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

VSB CLERK'S OFFICE

IN THE MATTER OF
JAMES FRED SUMPTER

VSB Docket No. 17-000-107369

AFFIDAVIT DECLARING CONSENT TO REVOCATION

James Fred Sumpter, after being duly sworn, states as follows:

1. That James Fred Sumpter was licensed to practice law in the Commonwealth of Virginia on October 1, 1992;
2. That James Fred Sumpter submits this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28.
3. That James Fred Sumpter's consent to revocation is freely and voluntarily rendered, that James Fred Sumpter is not being subjected to coercion or duress, and that James Fred Sumpter is fully aware of the implications of consenting to the revocation of his license to practice law in the Commonwealth of Virginia;
4. That James Fred Sumpter is aware that there is currently pending a complaint, an investigation into, or a proceeding involving, allegations of misconduct, the docket number for which is set forth above, and the specific nature of which is here set forth:

James Fred Sumpter was convicted of one count of False Statement Under Oath in a Bankruptcy Proceeding, a felony, pursuant to 18 U.S.C. 152(2) in the United States District Court for the Eastern District of Virginia, Alexandria Division, on March 5, 2012. This conviction is set out in Judgment of a Criminal Conviction, attached as Exhibit A.

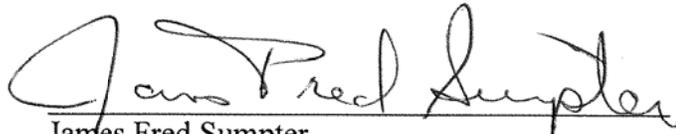
5. That James Fred Sumpter acknowledges that Pursuant to 18 U.S.C 3552 and the Sentencing Reform Act of 1984, he was sentenced to supervised probation for a term of two (2)

years, with ten (10) days of imprisonment, six months of home confinement with electronic monitoring, and evaluations for mental health and substance abuse. This sentence was pronounced on June 10, 2016. This sentence is set out in in Judgment of a Criminal Conviction, attached as Exhibit A.

6. That James Fred Sumpter acknowledges that the material facts upon which the allegations of misconduct are predicated are true; and

7. That James Fred Sumpter 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.

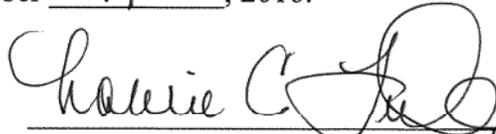
Executed and dated: October 14, 2016



James Fred Sumpter
Respondent

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Richmond, to wit:

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before me by James Fred Sumpter on October 14, 2016.



Notary Public

My Commission expires: March 30, 2017
Registration No. 146195



RECEIVED

OCT 11 2016

VSB CLERK'S OFFICE

UNITED STATES DISTRICT COURT
Eastern District of Virginia
Alexandria Division

JUN 10 2016
CLERK, U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

UNITED STATES OF AMERICA
v.

Case Number: 1:15CR00347-001

JAMES FRED SUMPTER,

USM Number: 89602-083

Defendant's Attorney: Elizabeth Mullin, Esquire

Defendant.

JUDGMENT IN A CRIMINAL CASE

The defendant pleaded guilty to Count One (1) the single count Criminal Information.

Accordingly, the defendant is adjudicated guilty of the following counts involving the indicated offenses.

| <u>Title and Section</u> | <u>Nature of Offense</u> | <u>Offense Class</u> | <u>Offense Ended</u> | <u>Count</u> |
|--------------------------|---|----------------------|----------------------|--------------|
| 18 U.S.C. 152(2) | False statement under Oath in bankruptcy proceeding | Felony | March 5, 2012 | One (1) |

As pronounced on June 10th, 2016, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to 18 U.S.C. 3553 and the Sentencing Reform Act of 1984.

It is ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of material changes in economic circumstances.

Signed this 10th day of June, 2016.

Isl
Liam O'Grady
United States District Judge

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT
BY [Signature]
DEPUTY CLERK

VSB
EXHIBIT
A

Defendant's Name: **SUMPTER, JAMES FRED**
Case Number: **1:15CR00347-001**

SUPERVISED PROBATION

The defendant is hereby placed on supervised probation for a term of **TWO (2) YEARS**.

The Probation Office shall provide the defendant with a copy of the standard conditions and any special conditions of Probation.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and periodic drug tests thereafter, as determined by the court.

The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or restitution obligation, it is a condition of Probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

STANDARD CONDITIONS OF SUPERVISION

The defendant shall comply with the standard conditions that have been adopted by this court set forth below:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer for a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant's Name: **SUMPTER, JAMES FRED**
Case Number: **1:15CR00347-001**

SPECIAL CONDITIONS OF SUPERVISED PROBATION

While on Probation pursuant to this Judgment, the defendant shall also comply with the following additional special conditions:

1. Defendant must serve **TEN (10) DAYS OF IMPRISONMENT**, at the direction of the Probation Officer and/or the Bureau of Prisons, with voluntary surrender permitted.
2. Defendant must serve **SIX (6) MONTHS OF HOME CONFINEMENT WITH ELECTRONIC MONITORING**, with time outs allowed for medical, counseling, volunteer work, and other reasons approved in advance by the Probation Officer.
3. Defendant must be evaluated for substance abuse, as directed by the Probation Officer.
4. Defendant must submit to a mental health evaluation, as directed by the Probation Officer, and provide the Probation Officer with a written waiver of confidentiality in connection with the mental health evaluation.

Defendant's Name: **SUMPTER, JAMES FRED**
Case Number: **I:15CR00347-001**

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

The special assessment shall be due in full immediately.

The defendant shall forfeit the defendant's interest in the following property to the United States:

No order of forfeiture was filed in this case.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. Payments shall be applied in the following order: (1) assessment (2) restitution principal (3) restitution interest (4) fine principal (5) fine interest (6) community restitution (7) penalties and (8) costs, including cost of prosecution and court costs.

Nothing in the court's order shall prohibit the collection of any judgment, fine, or special assessment by the United States.