

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF:
ROGER CORY HINDE

VSB DOCKET NO. 04-000-2442

ORDER OF REVOCATION

This matter came before the Virginia State Bar Disciplinary Board on March 26, 2004, pursuant to the Motion and Notice of Show Cause Hearing to Revoke Respondent's License to Practice Law for His Failure to Comply with the Rules of Court filed by the Virginia State Bar, pursuant to Part Six, Section IV, Paragraph 13.M. of the Rules of Court. The hearing was held before a duly convened panel of the Board consisting of Robert E. Eicher, Peter A. Dingman, Ann N. Kathan, Chester J. Cahoon, Jr., Lay Member, and Karen A. Gould, First Vice Chair.

The Virginia State Bar was represented by Barbara Ann Williams, Bar Counsel. Roger Cory Hinde (the "Respondent") failed to appear after the Clerk called his name three times in the hallway outside the courtroom, nor did any counsel appear on his behalf. Ms. Tracy J. Stroh, with Chandler and Halasz, Inc., P.O. Box 9349, Richmond, Virginia 23227, (804) 730-1222, having been duly sworn, reported the hearing. All required notices of the date and place of this hearing were timely sent by the Clerk of the Disciplinary System in the manner prescribed by law.

The Chair opened the hearing by calling the case both in the hearing room and in the adjacent hall. The Respondent did not answer or appear. The panel was then polled as to whether any member had any conflict of interest, any apparent conflict of interest, or other

reason why the member should not participate in the hearing. Each panel member, including the Chair, answered in the negative.

The Bar then presented evidence through duly admitted documents and testimony that the Respondent had failed to comply with the terms of the Summary Order entered on April 25, 2003, the Order of Suspension entered on May 12, 2003, and the Order entered on November 20, 2003, which all directed the Respondent to comply with the notice requirements of Part 6, Section IV, Paragraph 13.M. of the Rules of Court. Specifically, the Respondent was required, among other things as set forth in the Rules of Court, to send notice, by certified mail, of his suspension to practice law in the Commonwealth of Virginia to all clients for whom he was handling matters and to all opposing attorneys and the presiding judges in pending litigation. The evidence presented by the Bar showed that the Respondent had failed to fulfill the notice requirements of Part 6, Section IV, Paragraph 13.M. of the Rules of Court.

Findings and Sanction

Under Rules of Court, Part 6, Section IV, Paragraph 13.M. the Disciplinary Board is empowered to impose a sanction of revocation or suspension for an attorney's failure to comply with the notice requirements of this rule. The Board finds that the Bar has furnished uncontroverted evidence that the Respondent did not comply with the notice requirements of Rules of Court, Part Six, Section IV, Paragraph 13.M. and that the sanction of revocation is appropriate. The Board further finds that the Respondent has failed to show cause as to why such sanction should not be imposed.

Based on the evidence presented by the Bar, the Respondent's failure to show cause as to why his license should not be revoked in the Commonwealth of Virginia, and the Respondent's

lengthy disciplinary record, the Board believes the appropriate sanction is the revocation of the Respondent's license.

Accordingly, it is so ORDERED that the license of Roger Cory Hinde to practice law in the Commonwealth of Virginia is hereby REVOKED, effective March 26, 2004.

It is further ORDERED that, pursuant to Part Six, Section IV, Paragraph 13.M. of the Rules of the Supreme Court of Virginia, Respondent shall forthwith give the required notice of this revocation of his license to practice law in the Commonwealth of Virginia.

It is further ORDERED that costs shall be assessed against the Respondent in accordance with the Rules of the Supreme Court of Virginia, Part Six, Section IV, Paragraph 13.B.8.c.

It is further ORDERED that the Clerk of the Disciplinary System forward a copy of this order to the Respondent, by certified mail, return receipt requested, at his address of record with the Virginia State Bar, 5002 Monument Avenue, Suite 101, Richmond, Virginia 23230, and by hand-delivery to Barbara Ann Williams, Bar Counsel, Virginia State Bar, 707, East Main Street, Suite 1500, Richmond, Virginia 23219.

ENTERED this 31st day of March, 2004

VIRGINIA STATE BAR DISCIPLINARY BOARD

Karen A. Gould, First Vice Chair