

VIRGINIA:

BEFORE THE CIRCUIT COURT FOR THE COUNTY OF ARLINGTON

VIRGINIA STATE BAR EX REL
FIFTH DISTRICT, SECTION III COMMITTEE,

Complainant,

v.

CH No. 04-62

KHALID MAHMOOD,

Respondent.

ORDER

THIS MATTER came on June 25, 2004, to be heard in the Arlington County Circuit Court pursuant to Notice served upon the Respondent in the manner provided by the Rules of the Supreme Court of Virginia, and

IT APPEARING TO THE COURT that the parties have reached an agreed disposition in this matter, as set forth herein.

The court makes the following findings of fact:

1) At all times relevant hereto, Khalid Mahmood, Esquire (hereafter Respondent), has been an attorney licensed to practice law in the Commonwealth of Virginia since April 26, 2000.

2) On October 4, 2001, the Respondent pled guilty to two misdemeanor counts of stalking in violation of Section 18.2-60.3 of the 1950 Code of Virginia as amended.

This Court finds by clear and convincing evidence that Respondent's aforesaid conduct constituted a violation of the following provisions of the Virginia Rules of Professional Conduct, to-wit:

RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer.

This Court finds as applicable the following mitigating factors as recognized by the American Bar Association, ^{which the Virginia State Bar has represented are} namely: ^{applicable} Fmy
KM

- a. Absence of a prior disciplinary record;
- b. Absence of a dishonest or selfish motive;
- c. Personal [or] emotional problems;
- d. Full and free disclosure to Virginia State Bar [and] cooperative attitude towards proceedings;
- e. Imposition of other penalties or sanctions;
- f. Interim rehabilitation; and
- g. Remorse.

Upon consideration whereof, it is hereby

ORDERED that the Respondent, Khalid Mahmood, be, and he hereby is, SUSPENDED from the practice of law in the Commonwealth of Virginia for a period of one year, effective immediately, provided however, that the implementation of said suspension shall, itself, be suspended in full, subject to the Respondent's compliance with the following terms and conditions:

1. The Respondent shall remain under the care of licensed clinical psychologist Stanton E. Samenow, Ph. D., (or, if Dr. Samenow becomes unavailable, such other mental health care provider as agreed upon by Respondent and the Virginia

State Bar), and such other health care providers to whom Respondent might be referred by Dr. Samenow, until such time as the Respondent is discharged from Dr. Samenow's care, with the concurrence of Bar Counsel. Respondent shall cooperate fully and comply with all treatment recommendations made by Dr. Samenow and such other health care providers during the said period. Such compliance shall include, but not be limited to, attending all further therapy, counseling, and evaluation sessions with Dr. Samenow and/or other health care providers to whom Respondent is referred by him, taking all medications as may be prescribed by Dr. Samenow or other health care providers to whom Respondent has been referred by Dr. Samenow and submitting to such further testing, evaluation, and clinical assessments as may be required by Dr. Samenow and any health care providers to whom Respondent has been referred by Dr. Samenow.

2. The Respondent shall immediately provide Dr. Samenow and all health care providers to whom Respondent has been referred by Dr. Samenow with a copy of this Order and a release which authorizes and directs Dr. Samenow and such other health care providers to furnish the Virginia State Bar, c/o Yvonne DeBruyn Weight, Special Assistant Bar Counsel, 100 North Pitt Street, Suite 310, Alexandria, Virginia 22314, with a written report in the event, in the professional opinion of the health care provider writing the report, the Respondent's mental condition is likely to precipitate future acts of stalking. Such report shall be provided at any time during which Respondent is obligated to be under the care of health care providers pursuant to this Order, and shall detail the basis for such opinions rendered. In addition, Dr.

Samenow shall certify at six month intervals following the date of entry of this Order through the time that Respondent is discharged from care whether the Respondent is in compliance with Paragraphs 1, 2 and 3 of this Order.

3. The Respondent shall bear the cost and expense of compliance with the terms set forth herein, including, but not limited to, the cost of the assessments, therapy, counseling, medication, and all health care contemplated by the terms hereof, and the costs imposed, if any, by Dr. Samenow (or his approved successor(s)) and all other health care providers in preparing and furnishing any and all reports submitted to the Virginia State Bar pursuant to the terms hereof.

4. The foregoing terms, provisions, and requirements shall be in effect up to and through June 1, 2006.

And it is further

ORDERED that if Respondent violates any of the terms set forth in Paragraphs 1, 2, and 3 herein, then, and in such event, the full term of said one year suspension shall be imposed, which suspension shall begin upon the finding of any such violation at the conclusion of a show cause hearing before the Virginia State Bar Disciplinary Board, wherein the Respondent has failed to prove by clear and convincing evidence that he did not violate any of the terms set forth above.

And it is further

ORDERED that, up to and through June 1, 2006, the Respondent shall immediately report charges of any criminal act lodged against him in any jurisdiction to the Virginia State Bar.

And it is further

ORDERED that if the Respondent is convicted of another criminal act of stalking in the Commonwealth of Virginia, or an analogous crime in another jurisdiction, which criminal act occurs between the date of entry of this order to and through June 1, 2006, his license to practice law in the Commonwealth of Virginia shall be revoked, upon the finding of any such conviction at the conclusion of a show cause hearing before the Virginia State Bar Disciplinary Board, wherein the Respondent has failed to prove by clear and convincing evidence that he was not so convicted.

And it is further

ORDERED that, pursuant to Part Six, IV, & 13(B)(8)(c) of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess costs against the Respondent.

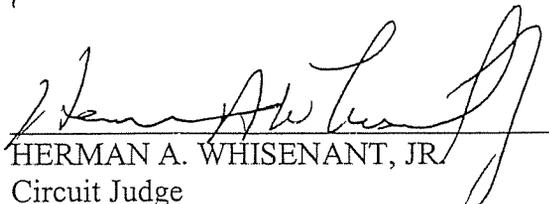
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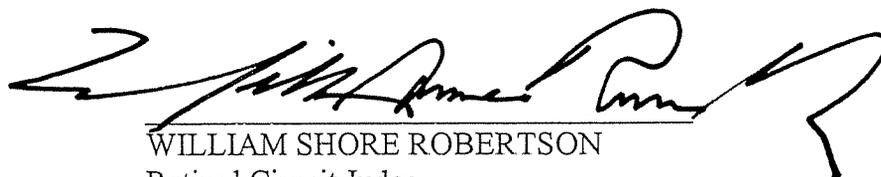
ORDERED that since there is no further action to be taken unless the Respondent fails to comply with the terms imposed by the Court, in which case a show-cause proceeding will be initiated, this matter shall be removed from the active docket of the Virginia State Bar Disciplinary System and placed among the closed files.

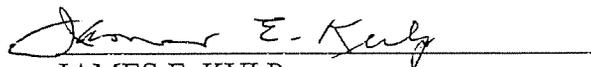
And it is further

ORDERED that four (4) copies of this Order be certified by the Clerk of the Circuit Court of the County of Arlington, Virginia, and be thereafter mailed by said Clerk to the Clerk of the Disciplinary System of the Virginia State Bar at 707 East Main Street, Suite 1500, Richmond, Virginia 23219-2800, for further service upon the Respondent and Bar Counsel consistent with the rules and procedures governing the Virginia State Bar Disciplinary System.

ENTERED this 28th day of ~~June~~ July, 2004.


HERMAN A. WHISENANT, JR.
Circuit Judge
Thirty-first Judicial Circuit


WILLIAM SHORE ROBERTSON
Retired Circuit Judge
Twentieth Judicial Circuit


JAMES E. KULP
Retired Circuit Judge
Fourteenth Judicial Circuit

WE ASK FOR THIS:



YVONNE DeBRUYN WEIGHT

WSB #14493

Special Assistant Bar Counsel

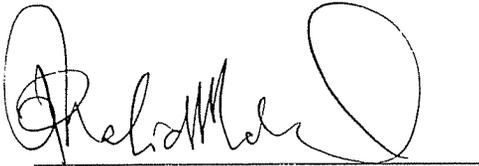
Virginia State Bar

100 North Pitt Street, Suite 310

Alexandria, Virginia 22314

(703) 548-6600

Fax (703) 548-6603



KHALID MAHMOOD

VSB #44931

210 East Broad Street

Suite 208

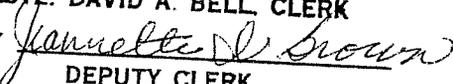
Falls Church, Virginia 22046

(703) 241-7552

Fax (703) 241-9418

A COPY,

TESTE: DAVID A. BELL, CLERK

BY  DEPUTY CLERK