

**VIRGINIA:**

**BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD**

**IN THE MATTER OF  
GARY MICHAEL ANDERSON**

**VS. B DOCKET NO. 17-000-109101**

**MEMORANDUM ORDER OF SUSPENSION**

This matter came to be heard on Friday, June 23, 2017, before a panel of the Virginia State Bar Disciplinary Board consisting of William H. Atwill, Jr., Chair, Sandra W. Montgomery (lay member), Melissa W. Robinson, Whitney G. Saunders, and Thomas R. Scott, Jr., (collectively, the “Board”). The Virginia State Bar was represented by Prescott L. Prince, Assistant Bar Counsel. The Respondent, Gary Michael Anderson (“Respondent”), did not appear in person or by counsel. Tracy J. Stroh, a Registered Professional Court Reporter with Chandler & Halasz, P. O. Box 9340, Richmond, VA 23227, (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceeding. The Chair opened the hearing by calling the case in the hearing room, and then having the Assistant Clerk call the Respondent’s name three times in the adjacent hall, but the Respondent did not appear. The Chair then polled the members of the Board 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.

The matter came before the Board on the Rule to Show Cause and Order of Summary Suspension and Hearing entered May 26, 2017, with an attached copy of the Order entered February 16, 2017, by the Court of Appeals of Maryland effective March 18, 2017, suspending Respondent’s license to practice law indefinitely in that jurisdiction, and on the Clerk of the Disciplinary System’s June 2, 2017, certified Notice Letter to the Respondent served in

accordance with the Rules of the Supreme Court of Virginia. In accordance with Part 6, § IV, ¶ 13-24 of the Rules of the Supreme Court of Virginia, the purpose of the hearing was to provide the Respondent with an opportunity to show cause, if any he could, by clear and convincing evidence, why the same discipline that was imposed upon him in the Court of Appeals of Maryland should not be imposed by this Board. The Rule to Show Cause and Notice were received in evidence collectively as VSB Exhibit 1. An Affidavit from the Director of Member Compliance and a Certification of Disciplinary History were received in evidence as VSB Exhibits 2 and 3 respectively. All legal notices of the date and place were timely sent by the Clerk of the Disciplinary System (“Clerk”) in the manner prescribed by Part 6, § IV, ¶ 13-18 of the Rules of the Supreme Court of Virginia.

As noted above, the Respondent was not present and did not present argument. After the Board accepted into evidence the Bar’s Exhibits, considered the argument of Bar Counsel and duly deliberated on this matter, it found that the Respondent had failed to show cause by clear and convincing evidence why the Board should not impose the same discipline imposed by the Court of Appeals of Maryland. Upon such a finding, pursuant Part 6, § IV, ¶ 13-24 (H) of the Rules of the Supreme Court of Virginia, the Board is required to impose the same discipline upon the Respondent as was imposed by the Court of Appeals of Maryland, despite the fact that the Rules do not provide for an indefinite suspension of an attorney’s license to practice law in the Commonwealth of Virginia. See, In the matter of Bridgette M. Harris, Esq., VSB Docket No. 01-000-3232 (Aug. 2, 2001); In the matter of Alexander Manjanja Chanthunya, Esq., VSB Docket No. 17-000-106756 (Oct. 14, 2016).

Accordingly, by this Memorandum Order and in accordance with the Summary Order entered on June 23, 2017 it is ORDERED that the Respondent, Gary Michael Anderson, is

suspended from the practice of law in the Commonwealth of Virginia, effective June 2, 2017, and his reinstatement to practice law in the Commonwealth is conditioned upon proof that he meets the requirements for reinstatement in the State of Maryland, and, in fact, has been readmitted to practice law in that jurisdiction; and

In accordance with Part 6, § IV, ¶ 13-29 of the Rules of the Supreme Court of Virginia, it is further ORDERED that the Respondent, Gary Michael Anderson, shall forthwith give notice, by certified mail, return receipt requested, of the suspension of his license to practice law in the Commonwealth of Virginia, to all clients for whom he is currently handling matters and for all opposing attorneys and presiding judges in pending litigation. The Respondent shall also make appropriate arrangements for the disposition of matters then in his care in conformity with the wishes of his clients. Respondent shall give such notice within fourteen (14) days of the effective date of the suspension, and make such arrangements as now required herein within forty-five (45) days of the effective date of this Order. Respondent shall also furnish proof to the Bar within sixty (60) days of the effective date of the suspension that such notices have been timely given and such arrangements made for the disposition of matters; and

It is further ORDERED that, if the Respondent is not handling any client matters on the effective date of the suspension, he shall submit an Affidavit to that effect to the Clerk of the Disciplinary System at the Virginia State Bar. All issues concerning the adequacy of the notice and arrangements required by ¶ 13-29 shall be determined by the Virginia State Bar Disciplinary Board, unless the Respondent makes a timely request for hearing before a three-judge Court; and

It is further ORDERED that pursuant to Part 6, § IV, ¶ 13-29 of the Rules of the Supreme Court of Virginia, the Clerk of the Disciplinary System shall assess all costs against the Respondent; and

It is further ORDERED that the Clerk of the Disciplinary System shall mail an attested copy of this Order to the Respondent, Gary Michael Anderson, at his address of record with the Virginia State Bar, being 636 Main Street, Laurel, MD 20707, by certified mail, return receipt requested, and by hand-delivery to Prescott L. Prince, Assistant Bar Counsel, Virginia State Bar, 1111 E. Main Street, Suite 700, Richmond, VA 23219.

Entered *nunc pro tunc* this 30th day of June, 2017.

VIRGINIA STATE BAR DISCIPLINARY BOARD

**William H.**

**Atwill**

Digitally signed by William H. Atwill  
DN: cn=William H. Atwill, o=Atwill,  
Troxell & Leigh, PC, ou,  
email=batwill@atandlpc.com, c=US  
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WILLIAM H. ATWILL, JR., CHAIR