

VIRGINIA:

Before the Virginia State Bar Disciplinary Board

In the Matter of

*James Gordon Kincheloe, Jr.
Attorney at Law*

*VSB Docket Nos. 12-051-091587 &
15-000-100089*

On August 13, 2014, came James Gordon Kincheloe, Jr. 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 disciplinary charges are pending, he acknowledges that the material facts in the attached Affidavit Declaring Consent to Revocation upon which the allegations of misconduct are predicated 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 Gordon Kincheloe, Jr. be and the same hereby is revoked, and that the name of the said James Gordon Kincheloe, Jr. be stricken from the Roll of Attorneys of this Commonwealth.

Entered this 21st day of August, 2014

For the Virginia State Bar Disciplinary Board

By *Barbara S. Lanier*
Barbara Sayers Lanier, Clerk of the Disciplinary System

VIRGINIA:

BEFORE THE FIFTH DISTRICT SUBCOMMITTEE SECTION I
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
JAMES GORDON KINCHELOE, JR.

VSB Docket No. 12-051-091587

AFFIDAVIT DECLARING CONSENT TO REVOCATION

James Gordon Kincheloe, Jr., after being duly sworn, states as follows:

1. That James Gordon Kincheloe, Jr., was licensed to practice law in the Commonwealth of Virginia on 09/30/1975.
2. That James Gordon Kincheloe, Jr., submits this Affidavit Declaring Consent to Revocation pursuant to Rule of Court, Part 6, Section IV, Paragraph 13-28.
3. That James Gordon Kincheloe, Jr.'s consent to revocation is freely and voluntarily rendered, that James Gordon Kincheloe, Jr., is not being subjected to coercion or duress, and that James Gordon Kincheloe, Jr., is fully aware of the implications of consenting to the revocation of his license to practice law in the Commonwealth of Virginia.
4. James Gordon Kincheloe, Jr., is aware that there is currently pending Docket No. 15-000-011189, the specific nature of which is set forth in the Conviction Order, attached hereto as Exhibit A.
5. James Gordon Kincheloe, Jr., acknowledges that the material facts upon which the allegations of misconduct are predicated are true; and
6. James Gordon Kincheloe, Jr., 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 on 8-13-14

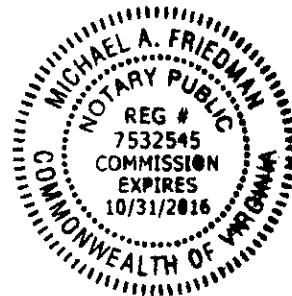
James G. Kincheloe, Jr.
James Gordon Kincheloe, Jr.,
Respondent

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

The foregoing Affidavit Declaring Consent to Revocation was subscribed and sworn to before
me by James Gordon Kincheloe, Jr., on AUGUST 13TH 2014

Michael Friedman
Notary Public

My Commission expires: 10-31-2016



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JUN 23 2014

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA)	CRIMINAL NUMBER FE-2014-374
VERSUS)	
JAMES KINCHELOE, JR.)	INDICTMENT - EMBEZZLEMENT

On June 5, 2014, Marc Birnbaum, the Special Assistant Commonwealth's Attorney, JAMES KINCHELOE, JR., the Defendant, and James Love, Counsel for the Defendant, appeared before this Court. The Defendant is indicted for the felony of EMBEZZLEMENT and he appeared while on bond.

The Commonwealth moved to amend the indictment, which motion the Court granted without objection by the Defendant or his Counsel, to wit: by striking the words "2nd day of January, 2009" and by adding the words "November 7, 2011" and "and the estate of Pearl Buckley".

The Defendant was arraigned upon the amended indictment, and the Defendant, in person and in writing signed by him, entered a plea of guilty. The Court accepted the plea of guilty and made it a part of the record after making specific inquiries of the Defendant and determining that the plea was made voluntarily and with full understanding of the nature of the charge and the consequences of the plea.

In consideration of the Defendant's plea of guilty and the evidence heard, the Court found JAMES KINCHELOE, JR. guilty of EMBEZZLEMENT, as charged.

The Court referred this case to the District Probation Officer for investigation and report before sentencing. This case was continued to August 15, 2014 at 10:00 a.m., for sentencing.

The Court denied the Defendant's motion to continue the Defendant on the bond posted in this case. The Court **ORDERED** that the Defendant's bond be revoked.

The Defendant was remanded to the custody of the Sheriff.

Entered on June 11, 2014.

Jane Marum Roush
 JUDGE JANE MARUM ROUSH
 TESTE:
 JOHN F. FREY, CLERK
 BY: *John F. Frey*
 Deputy Clerk
 Date: 6/18/14
 Original retained in the office of
 the Clerk of the Circuit Court of
 Fairfax County, Virginia