

SUPREME COURT OF SOUTH CAROLINA

In re Gamble

405 S.C. 436 (2013) · Decided September 4, 2013

SUMMARY

The South Carolina Supreme Court accepted an Agreement for Discipline by Consent in an attorney disciplinary matter. The court suspended the respondent from practicing law for eighteen months, retroactive to his interim suspension, based on admitted violations involving supervision, professional misconduct, and conduct reflecting adversely on his fitness to practice law.

CASE DETAILS

COURT	Supreme Court of South Carolina
WRITING FOR THE COURT	Per Curiam; Chief Justice Toal; Justice Pleicones; Justice Beatty; Justice Kittredge; Justice Hearn
JURISDICTION	South Carolina
DECIDED	September 4, 2013
DISPOSITION	other
PROCEDURAL POSTURE	Attorney disciplinary matter submitted to the Supreme Court of South Carolina under an Agreement for Discipline by Consent pursuant to Rule 21 of the Rules for Lawyer Disciplinary Enforcement.
PRECEDENTIAL VALUE	Published South Carolina Supreme Court disciplinary opinion

TOPICS

administrative law

PRACTICE AREAS

legal ethics attorney discipline

QUESTIONS PRESENTED

- Whether the court should accept the Agreement for Discipline by Consent.
- What disciplinary sanction should be imposed for respondent's admitted violations of the Rules of Professional Conduct and the Rules for Lawyer Disciplinary Enforcement.

HOLDINGS

1. The court accepted the Agreement for Discipline by Consent after respondent admitted misconduct and violations of the applicable professional-conduct and lawyer-discipline rules.
2. Respondent was suspended from the practice of law in South Carolina for eighteen months, retroactive to August 24, 2011, the date of his interim suspension.

KEY QUOTATIONS

“We accept the Agreement for Discipline by Consent and suspend respondent from the practice of law in this state for eighteen months, retroactive to the date of his interim suspension.” (438)

FACTUAL BACKGROUND

Respondent, while serving as Circuit Defender for the Anderson County Public Defender's Office, was charged with misconduct in office based on alleged neglect of duties, misuse of county and state funds for personal gain, and improper supervision and approval of fraudulent or exorbitant expense reimbursements. He entered and successfully completed the Pre-Trial Intervention Program, after which the criminal charge was nolle prossed and the related records were expunged. Respondent had previously received a public reprimand for failing to timely file a federal income tax return.

PROCEDURAL HISTORY

Respondent and the Office of Disciplinary Counsel entered into an Agreement for Discipline by Consent in which respondent admitted misconduct and consented to a sanction ranging from a public reprimand to an eighteen-month definite suspension. The Supreme Court accepted the Agreement and imposed an eighteen-month suspension, retroactive to respondent's interim suspension date of August 24, 2011, with additional reinstatement and compliance requirements.

DISPOSITION

other

CASES CITED

- In re Gamble, 278 S.C. 651, 300 S.E.2d 737 (1983)
- In re Gamble, 396 S.C. 215, 721 S.E.2d 767 (2011)