

SUPREME COURT OF SOUTH CAROLINA

In the Matter of Charles Lee Anderson

418 S.C. 48 (2016) · No. Appellate Case No. 2016-001473 · Decided September 28, 2016

SUMMARY

The South Carolina Supreme Court accepted Charles Lee Anderson's Agreement for Discipline by Consent and suspended him from practicing law for two years, retroactive to his interim suspension. The discipline arose from his federal conviction for making false statements and from improperly transferring client trust funds without written authorization; reinstatement was conditioned on completing specified ethics, trust-account, and advertising schools.

CASE DETAILS

COURT	Supreme Court of South Carolina
WRITING FOR THE COURT	Per Curiam; Pleicones, C.J.; Beatty, J.; Kittredge, J.; Hearn, J.; Few, J.
JURISDICTION	South Carolina
DECIDED	September 28, 2016
DOCKET	Appellate Case No. 2016-001473
DISPOSITION	other
PROCEDURAL POSTURE	Attorney disciplinary proceeding resolved through an Agreement for Discipline by Consent under Rule 21 of the Rules for Lawyer Disciplinary Enforcement.
PRECEDENTIAL VALUE	Published South Carolina Supreme Court attorney-discipline opinion

TOPICS

appellate procedure criminal procedure trusts

PRACTICE AREAS

legal ethics attorney discipline criminal law trust accounts

QUESTIONS PRESENTED

1. Whether the Supreme Court should accept the parties' Agreement for Discipline by Consent.
2. What disciplinary sanction should be imposed for respondent's admitted misconduct.

3. Whether the two-year suspension should be made retroactive to the date of respondent's interim suspension.

HOLDINGS

1. The court accepted the Agreement for Discipline by Consent and suspended respondent from the practice of law in South Carolina for two years.
2. The two-year suspension was made retroactive to the date of respondent's interim suspension.

KEY QUOTATIONS

"We hereby suspend respondent from the practice of law in this state for two years, retroactive to the date of his interim suspension." (418 S.C. 48)

FACTUAL BACKGROUND

Respondent pleaded guilty to making false statements to federal agents during an investigation of a cocaine conspiracy and was sentenced to five months' imprisonment followed by supervised release and other conditions. In a separate matter, he transferred client trust funds from a personal-injury settlement to pay a debt associated with an estate without obtaining the client's written consent. Respondent admitted that both matters violated specified South Carolina Rules of Professional Conduct and constituted grounds for discipline.

PROCEDURAL HISTORY

The Office of Disciplinary Counsel and respondent entered into an Agreement for Discipline by Consent. Respondent admitted misconduct arising from a federal false-statements conviction and misuse of client trust funds, and consented to a suspension or disbarment. The Supreme Court of South Carolina accepted the agreement and imposed a two-year suspension retroactive to respondent's interim suspension.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. Respondent must complete the Legal Ethics and Practice Program Ethics School, Trust Account School, and Advertising School before reinstatement, and must file an affidavit with the Clerk of Court within fifteen days showing compliance with Rule 30 of Rule 413, SCACR.

CASES CITED

- In re Anderson, 406 S.C. 641, 753 S.E.2d 532 (2014)