

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2321 Disciplinary Docket No. 3
: :
Petitioner : No. 19 DB 2017
: :
v. : Attorney Registration No. 93860
: :
KEVIN MARK WRAY, : (Delaware County)
: :
Respondent :

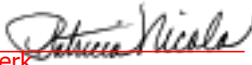
ORDER

PER CURIAM

AND NOW, this 6th day of July, 2017, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board, the Joint Petition in Support of Discipline on Consent is granted, and Kevin Mark Wray is suspended on consent from the Bar of this Commonwealth for a period of one year and one day. He shall comply with all the provisions of Pa.R.D.E. 217.

Respondent shall pay the costs incurred by the Disciplinary Board in the investigation and prosecution of this matter.

A True Copy Patricia Nicola
As Of 7/6/2017

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2321 Disciplinary Docket
Petitioner	:	No. 3
	:	
	:	No. 19 DB 2017
	:	
v.	:	Attorney Reg. No. 93860
	:	
KEVIN MARK WRAY,	:	
Respondent	:	(Delaware County)

**JOINT PETITION IN SUPPORT OF DISCIPLINE ON CONSENT
PURSUANT TO Pa.R.D.E. 215(d)**

Petitioner, the Office of Disciplinary Counsel (hereinafter, "ODC") by Paul J. Killion, Chief Disciplinary Counsel, and Dana M. Pirone, Disciplinary Counsel and Respondent, Kevin Mark Wray (hereinafter, "Respondent"), respectfully petition the Disciplinary Board in support of discipline on consent, pursuant to Pennsylvania Rule of Disciplinary Enforcement ("Pa.R.D.E.") 215(d), and in support thereof state:

1. Petitioner, whose principal office is situated at Pennsylvania Judicial Center, 601 Commonwealth Ave., Suite 2700, P.O. Box 62485, Harrisburg, Pennsylvania, 17106 is invested, pursuant to Pa.R.D.E. 207, with the power and duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Enforcement Rules.

FILED 5/3/2017 The Disciplinary Board of the Supreme Court of Pennsylvania

2. Respondent, Kevin Mark Wray, was born in 1962, and was admitted to practice law in the Commonwealth of Pennsylvania on November 16, 2004.

3. Respondent's current registration address is 210 West Front Street, Suite 216, Media, PA 19063.

4. On February 3, 2017, Petitioner filed a Petition for Discipline.

5. On February 24, 2017, Respondent filed an Answer admitting the relevant factual allegations.

6. On April 4, 2017, Respondent appeared and participated in the prehearing conference.

FACTUAL ALLEGATIONS ADMITTED

CHARGE ONE

CRIMINAL CONTEMPT -- THE JAMES M. WALTERS MATTER

7. Respondent was retained to represent James M. Walters for a DUI matter captioned *Com. v. James M. Walters*, CR-0002768-2011 (Berks County CCP).

8. On February 16, 2016, Respondent appeared before the Honorable Eleni Dimitriou Geishauser on Respondent's Motion to Withdraw as Counsel (the "Motion"). The Court denied Respondent's Motion, told Respondent that he would be allowed to withdraw if another attorney entered an appearance as counsel for Mr. Walters and instructed Respondent to appear for the jury trial on March 29, 2016.

9. On March 28, 2016, Respondent had a telephone conversation with Judge Geishauser's law clerk. Respondent told the law clerk that he had a conflict but did not provide any details or explanation.

10. The law clerk told Respondent to file a motion and to appear in Judge Geishauser's courtroom on March 29, 2016.

11. Instead of filing a new motion, Respondent renewed the Motion.

12. On March 29, 2016, Judge Geishauser, the assistant district attorney, the jury panel, and Mr. Walters assembled in the courtroom for jury selection and the trial.

13. Respondent did not notify the Court, the Commonwealth or Mr. Walters that he would not attend jury selection and the trial.

14. The Court waited until the luncheon recess for Respondent to arrive before appointing stand-by counsel to assist Mr. Walters.

15. At 4 p.m., on March 29, 2016, Judge Geishauser received a telephone call from the Honorable Barry C. Dozor, a judge on the Delaware County Court of Common Pleas, about the reason Respondent had failed to appear for Mr. Walters' trial.

16. Judge Dozor explained to Judge Geishauser that Respondent had been attached for a trial since February 1, 2016, in a matter which began in Judge Dozor's courtroom on March 29, 2016.

17. On March 30, 2016, the jury found Mr. Walters guilty of the more serious charge of attempting to elude an arresting officer, but not guilty of DUI.

18. On March 30, 2016, the Court initiated a contempt action against Respondent in the matter captioned *Com. v. Kevin M. Wray*, MC-0000506-2016 (Berks County CCP) (the "Contempt Action").

19. On April 1, 2016, Respondent and his counsel appeared before Judge Geishauser for a contempt hearing.

20. During the contempt hearing, Judge Geishauser questioned Respondent's veracity and explained to Respondent that she was upset by his failure to understand the consequences of: disregarding the Court's directive on February 16, 2016 to Respondent to appear for Mr. Walters' trial on March 29, 2016; Respondent's failure to appear for trial without notice; the impact upon the Berks County Court; failing to inform the Court about Respondent's trial attachment in the Delaware County Court of Common Pleas; failing to appear for court proceedings before the trial on March 29, 2016; and taking procedural short-cuts by requesting continuances by telephone and facsimile instead of following the Court's motion practice.

21. The Court found Respondent guilty of one count of Criminal Contempt under 42 Pa.C.S. § 5947§F.

22. The Court sentenced Respondent to pay a fine of \$1,000.00 and to reimburse the county for legal fees of \$1,500.00 incurred to provide stand-by counsel to Mr. Walters. The Court ordered that the fine of \$2,500.00, was to be paid within 30 days.

23. On May 3, 2016, Respondent filed a Motion for Supersedeas and a Notice of Appeal, *Com. v. Kevin M. Wray*, 715 MDA 2016, Superior Court (the "Appeal").

24. On May 31, 2016, Judge Geishauser issued a Statement In Lieu of Opinion explaining that Respondent had not complied with an Order dated May 5, 2016, directing him to serve a Statement of Matters Complained of on Appeal Pursuant to Pa.R.A.P. 1925(b).

25. By Order dated August 30, 2016, the Superior Court granted Respondent's second Application for Extension of Time to File a Brief and Reproduced Record until September 26, 2016.

26. Respondent did not file a brief in support of his appeal by September 26, 2016.

27. Respondent did not report his conviction to ODC.

28. By Order dated October 26, 2016, the Superior Court dismissed the Appeal for failure to file a brief.

CHARGE TWO
THE TIFFANIE HARDY MATTER

29. Tiffanie Hardy is an incompetent adult.

30. By Order dated November 13, 2013, Respondent was appointed to represent Ms. Hardy in a child endangerment case captioned *Com. v. Tiffanie Hardy*, CR-3202-2014 (Delaware County CCP).

31. Respondent requested a continuance of the status conference scheduled to be held on August 19, 2015.

32. The Court granted the continuance request and rescheduled the status conference to be held on September 2, 2015.

33. On September 2, 2015, the Honorable Joseph P. Cronin, Jr., the Commonwealth, Ms. Hardy, and Ms. Hardy's mother assembled for the status conference.

34. Respondent did not notify the Court, the Commonwealth, Ms. Hardy, or Ms. Hardy's mother that he would not attend the status conference.

35. Ms. Hardy's mother informed Judge Cronin that she had been unsuccessful in communicating with Respondent and wanted the Court to appoint another attorney to represent Ms. Hardy.

36. By Order dated September 2, 2015, Judge Cronin removed Respondent as counsel for Ms. Hardy and appointed another attorney to represent Ms. Hardy.

CHARGE THREE
THE ANTHONY A. WILLIAMS MATTER

37. In October 2010, Respondent orally agreed to represent Anthony A. Williams in a criminal matter captioned *Com. v. Anthony A. Williams*, CR-4783-2010 (Delaware County CCP).

38. On March 3, 2011, Respondent represented Mr. Williams when the Court accepted Mr. Williams' plea to one count of indecent assault.

39. On December 12, 2012, Respondent orally agreed to file an appeal with the Superior Court seeking to remove the sexual predator classification in order to eliminate Mr. Williams' [potential] reporting requirements under Megan's Law.

40. Respondent charged Mr. Williams a flat fee of \$400.00.

41. On December 12, 2012, Mr. Williams gave Respondent a check for \$400.00.

42. Respondent did not obtain Mr. Williams' informed consent, confirmed in writing, to handle the \$400.00 advanced flat fee in a different manner than required by RPC 1.15(i), which requires that fees paid in advance be deposited into a Trust Account and withdrawn only as earned.

43. On January 25, 2013, Respondent filed a Notice of Appeal with the Superior Court in the matter captioned *Com. v. Anthony A. Williams*, Docket No. 289 EDA 2013.

44. By Order dated May 17, 2013, the Superior Court dismissed the appeal for failure to file a brief.

45. On June 6, 2013, Respondent filed an Application for Reconsideration of the Order dated May 17, 2013.

46. By Order dated June 10, 2013, the Superior Court vacated its Order dated May 17, 2013, reinstated Mr. Williams' appeal, ordered Appellant's brief to be filed by July 10, 2013, and stated that no further extensions would be granted.

47. By Order dated August 29, 2013, the Superior Court dismissed the appeal for failure to file a brief.

48. Respondent received the Orders dated May 17, 2013, June 10, 2013, and August 29, 2013.

49. Respondent has not communicated with Mr. Williams about the appeal since December 12, 2012.

CHARGE FOUR
THE BRUCE SCOTT MANO MATTER

50. In 2014, Bruce Scott Mano was convicted of writing bad checks and sentenced to pay restitution of \$56,143.00, and probation in the matter captioned *Com. v. Bruce S. Mano*, CR-0000618-2014 (Delaware County CCP).

51. By Order dated August 22, 2014, the Court denied Mr. Mano's Motion for Judgment of Acquittal and discontinued the Motion to Modify Sentence.

52. In September 2014, Respondent orally agreed to represent Mr. Mano in an appeal.

53. Respondent agreed to file an appeal for a flat fee of \$3,000.00.

54. Mr. Mano made installment payments to Respondent until the fee was paid in full on April 6, 2015.

55. Respondent did not obtain the informed consent, confirmed in writing, of Mr. Mano to handle the \$3,000.00 advance payment of Respondent's fee in a different manner than required by RPC 1.15(i), which requires that fees paid in advance be deposited into a Trust Account and withdrawn only as earned.

56. On September 19, 2014, Respondent filed a Notice of Appeal with the Superior Court in the matter captioned *Com. v. Bruce S. Mano*, Docket No. 2670 EDA 2014.

57. In 2014 and 2015, Respondent told Mr. Mano that he was working on the appeal and that "it would take some time" for the Court to decide the appeal.

58. On February 11, 2015, Respondent filed an Application for Extension of Time to File Appellant's Brief (the "First Request").

59. By Order dated February 11, 2015, the Superior Court granted the First Request and extended the filing deadline until February 23, 2015.

60. On April 6, 2015, Respondent filed another Application for Extension of Time to File Appellant's Brief (the "Second Request").

61. By Order dated April 9, 2015, the Superior Court granted the Second Request and extended the filing deadline until April 13, 2015.

62. By Order dated May 19, 2015, the Superior Court dismissed Mr. Mano's appeal for failure to file a brief.

63. Respondent received the Orders dated February 11, 2015, April 9, 2015, and May 19, 2015.

64. On May 24, 2016, Respondent had a telephone conversation with Mr. Mano and asked to meet with Mr. Mano the next day.

65. On May 25, 2016, Respondent met with Mr. Mano.

66. During that meeting, Respondent provided to Mr. Mano a copy of what Respondent represented was his letter to Mr. Mano dated April 10, 2015.

67. In Respondent's letter dated April 10, 2015, and purportedly mailed to Mr. Mano on April 10, 2015, Respondent explains that: Mr. Mano's position is contrary to the overwhelming case law cited by the trial court, Respondent did not find a legal basis to overturn the verdict and there was no factual basis to challenge the trial court's findings on the issue of credibility; and his willingness to refund one-half of the fee if Mr. Mano did not want to pursue a pardon in lieu of an appeal.

68. Mr. Mano had never seen the letter until May 25, 2016.

69. On May 25, 2016, Respondent admitted to Mr. Mano that the appeal had been dismissed one year earlier.

CHARGE FIVE
THE IKEEM A. SALES MATTER

70. On or about November 20, 2013, Respondent orally agreed to represent Ikeem A. Sales in a criminal matter captioned *Com. v. Ikeem A. Sales*, CR-6801-2013 (Delaware County CCP).

71. Respondent agreed to represent Mr. Sales through the trial court proceedings for a flat fee of \$3,500.00.

72. Respondent received periodic payments totaling \$3,500.00.

73. Respondent did not obtain the informed consent, confirmed in writing, of Mr. Sales to handle any portion of the \$3,500.00 advance payment of Respondent's fee in a different manner than required by RPC 1.15(i), which requires that fees paid in advance be deposited into a Trust Account and withdrawn only as earned.

74. On April 16, 2014, Mr. Sales was found guilty of possession of a controlled substance and illegal possession of a firearm.

75. On July 24, 2014, Respondent orally agreed to file an appeal.

76. On August 25, 2014, Respondent filed a Notice of Appeal with the Superior Court in the matter captioned *Com. v. Ikeem A. Sales*, Docket No. 2536 EDA 2014.

77. On January 21, 2015, Respondent filed an Application for Extension of Time to File Appellant's Brief (the "First Request").

78. By Order dated January 21, 2015, the Superior Court granted the First Request and extended the filing deadline until February 9, 2015.

79. On February 10, 2015, Respondent filed another Application for Extension of Time to File Appellant's Brief (the "Second Request").

80. By Order dated February 12, 2015, the Superior Court granted the Second Request and extended the filing deadline until February 20, 2015.

81. By Order dated April 9, 2015, the Superior Court dismissed Mr. Sales' appeal for failure to file a brief.

82. Respondent received the Orders dated January 21, 2015, February 12, 2015, and April 9, 2015.

83. Respondent did not communicate with Mr. Sales about the status of the appeal.

CHARGE SIX

THE EDWARD J. STURGES MATTER

84. On or about August 22, 2011, Respondent orally agreed to represent Edward J. Sturges in a criminal matter captioned *Com. v. Edward J. Sturges*, CR-1844-2011 (Delaware County CCP).

85. Respondent agreed to represent Mr. Sturges through the trial court proceedings for a flat fee of \$1,500.00.

86. Respondent did not obtain the informed consent, confirmed in writing, of Mr. Sturges to handle any portion of the \$1,500.00 advance payment of Respondent's fee in a different manner than required by RPC 1.15(i), which requires that fees paid in advance be deposited into a Trust Account and withdrawn only as earned.

87. On December 6, 2013, Mr. Sturges was found guilty of DUI: Controlled Substance.

88. After sentencing, Respondent orally agreed to file an appeal for no additional legal fees if Mr. Sturges paid the \$220.00 filing fee.

89. Mr. Sturges paid the \$220.00 filing fee.

90. On January 2, 2014, Respondent filed a Notice of Appeal with the Superior Court in the matter captioned *Com. v. Edward J. Sturges*, Docket No. 295 EDA 2014.

91. On January 6, 2015, Respondent filed an Application for Extension of Time to File Appellant's Brief (the "First Request").

92. By Order dated January 8, 2015, the Superior Court granted the First Request and extended the filing deadline until January 13, 2015.

93. By Order dated March 3, 2015, the Superior Court dismissed Mr. Sturges' appeal for failure to file a brief.

94. Respondent received the Orders dated January 8, 2015, and March 3, 2015.

95. Respondent did not communicate with Mr. Sturges about the status of the appeal.

CHARGE SEVEN

THE DENEEN MCCLELLAND MATTER

96. On or about February 8, 2016, Respondent orally agreed to represent Deneen McClelland in an appeal from a Judgment of Sentence.

97. On February 11, 2016, Respondent filed a Notice of Appeal with the Superior Court in the matter captioned *Com. v. Deneen McClelland*, Docket No. 436 EDA 2016.

98. On May 13, 2016, Respondent filed an Application for Extension of Time to File Appellant's Brief (the "First Request").

99. By Order dated May 17, 2016, the Superior Court granted the First Request and extended the filing deadline until July 18, 2016.

100. On July 18, 2016, Respondent filed a Second Application for Extension of Time to File Appellant's Brief (the "Second Request").

101. By Order dated July 18, 2016, the Superior Court granted the Second Request, extended the filing deadline until August 22, 2016, and stated that no further extensions would be granted absent extraordinary circumstances.

102. On August 22, 2016, Respondent filed a Third Application for Extension of Time to File Appellant's Brief (the "Third Request").

103. By Order dated August 29, 2016, the Superior Court granted the Third Request, extended the filing deadline until October 3, 2016, and stated that no further extensions would be granted absent extraordinary circumstances.

104. Respondent did not file a brief by October 3, 2016.

105. Respondent received the Orders dated May 17, 2016, July 18, 2016, and August 29, 2016.

106. By Order dated November 17, 2016, the Court dismissed Ms. McClelland's appeal for failure to file a brief.

107. Respondent did not communicate with Ms. McClelland about the status of the appeal.

108. By DB-7 dated November 4, 2016, ODC notified Respondent that he had disregarded his obligation to report his contempt conviction to ODC and committed misconduct while representing Mr. Walters, Ms. Hardy, Mr. Williams, Mr. Mano, Mr. Sales, Mr. Sturges, and Ms. McClelland.

109. The DB-7 was sent to Respondent by certified mail, return receipt requested.

110. Respondent received the DB-7 on November 7, 2016, as evidenced by Respondent's signature and date on the return receipt card.

111. Respondent never answered the DB-7.

RULES OF PROFESSIONAL CONDUCT AND DISCIPLINARY ENFORCEMENT

RULES

112. By his conduct as alleged in Paragraphs 8 through 111 above, Respondent violated the following Rules of Professional Conduct and Rules of Disciplinary Enforcement:

A. RPC 1.1, states that "a lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."

B. RPC 1.3, states that "a lawyer shall act with reasonable diligence and promptness in representing a client."

C. RPC 1.4(a)(3), states that "a lawyer shall keep the client reasonably informed about the status of the matter."

D. RPC 1.4(a)(4), states that "a lawyer shall promptly comply with reasonable requests for information."

E. RPC 1.5(b), states that "when the lawyer has not regularly represented the client, the basis or rate of the fee shall be communicated to the client, in writing, before or within a reasonable time after commencing the representation."

F. RPC 1.14(a), provides that when a client suffers from a diminished mental capacity a "lawyer shall, as far as reasonably possible, maintain a normal client-client relationship with the client."

G. RPC 1.15(i), states that "a lawyer shall deposit into a Trust Account legal fees and

expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred, unless the client gives informed consent, confirmed in writing, to the handling of fees and expenses in a different manner.”

H. RPC 3.2, states that “a lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client.”

I. RPC 8.4(d), states that “[i]t is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.”

J. Pa.R.D.E. 203(b) (1), provides that a criminal conviction shall be grounds for discipline.

K. Pa.R.D.E 203(b)(7), provides that the “[f]ailure by a respondent-attorney without good cause to respond to Disciplinary Counsel’s request or supplemental request under Disciplinary Board Rules, § 87.7(b) for a statement of the respondent-attorney’s position” shall be grounds for discipline.

L. Pa.R.D.E. 214 (a), provides that “an attorney convicted of a crime shall report the fact of such conviction within 20 days to the Office of Disciplinary Counsel.” For purposes of this rule, the term “crime” is expressly includes “criminal contempt, whether direct or indirect, and without regard to the sentence.” *See Pa. R.D.E. 214(h).*

JOINT RECOMMENDATION FOR DISCIPLINE

113. ODC and Respondent jointly recommend that the appropriate discipline for Respondent is a suspension of one year and one day.

114. Respondent asserts that he began treatment for anxiety and depression while representing Mr. Walters.

115. Respondent hereby consents to the discipline being imposed upon him by the Supreme Court of Pennsylvania. Attached to this Petition as Exhibit A is Respondent's executed Affidavit required by Pa.R.D.E. 215(d)(1) through (4).

116. ODC and Respondent respectfully submit that the following are aggravating circumstances:

a. Respondent continued to accept monthly payments of \$500.00, from Ms. McClelland after her appeal had been dismissed; and

b. On October 4, 2016, Respondent received an informal admonition with a condition that he refund unearned and advanced fees to two clients. Respondent's misconduct included lack of competence, failure to communicate, retaining unearned advanced fees, and failure to respond to one of the DB-7s. Respondent complied with the condition.

117. ODC and Respondent respectfully submit that Respondent's belated cooperation with ODC as evidenced by this Joint Petition is a mitigating factor.

118. The parties believe, and therefore aver, that their recommendation for a suspension of one year and one day is consistent with disciplinary case law involving a respondent who has been held in criminal contempt and when there is other misconduct. In *Office of Disciplinary Counsel v. Michael Elias Stosic*, No. 65 DB 2015 (S.Ct. Order 9/14/16) the respondent was convicted on three separate occasions of criminal contempt for failing to attend court proceedings without notice to the courts, opposing counsel and his clients. In addition to the contempt convictions, Stosic also failed to communicate in five client matters, failed to provide those clients with competent and diligent representation, engaged in conduct that was prejudicial to the administration of justice, and provided false and misleading information that he had professional liability insurance to one a client and in his annual attorney registration form. The aggravating

factors included Stosic's lack of remorse, failure to accept responsibility, failure to take steps to correct his disorganized approach to the practice of law, cavalier attitude toward his clients in favor of receiving fees, and failure to appreciate the impact upon his clients and the court system by failing to appear for court.

A suspension of one year and one day is also appropriate in cases involving serial neglect, failing to communicate, retaining unearned fees, failing to take steps to remedy the neglect, and failing to respond to inquiries from disciplinary authorities. *Office of Disciplinary Counsel v. Mark David Johns*, No. 95 DB 2013 (S.Ct. Order 12/30/14) (neglect in two client matters for which Johns had received payment, failure to communicate and delaying his refund to the clients. Aggravating factors included an informal admonition involving Johns' failure to cooperate with successor attorney and a private reprimand for neglect and failure to communicate. Johns was on notice that he would receive a private reprimand while he represented one of the clients at issue in the suspension case); *Office of Disciplinary Counsel v. Richard Patrick Reynolds*, 179 DB 2011 (S.Ct. 3/31/14)(neglect of client's appeal in a criminal matter, failure to communicate and client abandonment; aggravating factors included two informal admonitions for similar conduct); *Office of Disciplinary Counsel v. Ann-Marie MacDonald Pahides*, No. 171 DB 2009 (S.Ct. 12/27/10) (lack of competence, neglect, lack of communication, and the failure to refund unearned fees and documents in five client matters; aggravating factor was an informal admonition); *Office of Disciplinary Counsel v. Marc D. Collazzo*, No. 165 DB 2010 (S.Ct. 11/30/10) (lack of competence, lack of communication and misrepresentations to a client; aggravating factor was engaging in identical misconduct with a different client).

119. A suspension of one year and one day requiring Respondent to prove his fitness at a reinstatement hearing protects the public and meets the goals of the disciplinary system.

WHEREFORE, Respondent and ODC jointly respectfully request that your Honorable

Board:

- a. Approve this Petition; and
- b. File a recommendation for a suspension of one year and one day and this Petition with the Supreme Court of Pennsylvania.

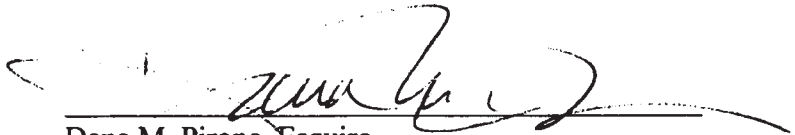
Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

Paul J. Killion
Chief Disciplinary Counsel
Attorney Reg. No. 20955

5/3/17
Date

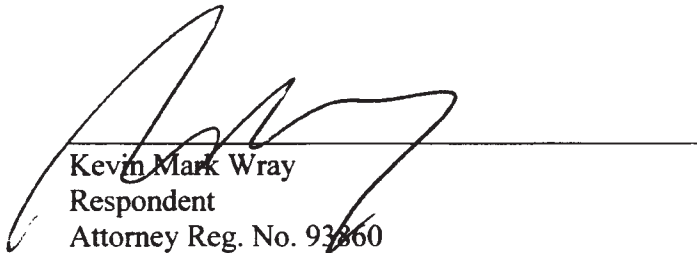
By:



Dana M. Pirone, Esquire
Disciplinary Counsel
Attorney Reg. No. 57221
District II Office
820 Adams Avenue, Suite 170
Trooper, PA 19403
(610) 650-8210

5/3/2017
Date

By:




Kevin Mark Wray
Respondent
Attorney Reg. No. 93860

VERIFICATION

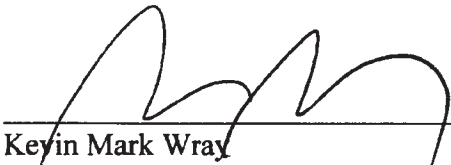
The statement contained in the foregoing Joint Petition In Support of Discipline on Consent Pursuant to Pa.R.D.E. 215(d) are true and correct to the best of my knowledge, information and belief and are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

5/3/17
Date



Dana M. Pirone, Esquire
Disciplinary Counsel
District II Office
Attorney Reg. No. 57221

5/3/2017
Date



Keyin Mark Wray
Respondent
Attorney Reg. No. 93860

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2321 Disciplinary Docket
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v.	:	Attorney Reg. No. 93860
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KEVIN MARK WRAY,	:	
Respondent	:	(Delaware County)

ORDER

PER CURIAM:

AND NOW, this _____ day of _____, 2017, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated _____, 2017, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), and it is

ORDERED that Kevin Mark Wray is suspended on consent from the Bar of this Commonwealth for a period of one year and one day, and he shall comply with all the provisions of Pa.R.D.E. 217.

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

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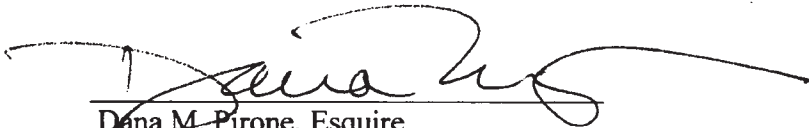
CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing documents upon the persons and in the manner indicated below which service satisfied the requirements of Pa.R.A.P. 121 as follows:

Service by First-Class Mail

Kevin Mark Wray
210 W. Front Street
Suite 216
Media, PA 19063

5/3/17
Date


Dana M. Pirone, Esquire
Disciplinary Counsel
District II Office
Attorney Reg. No. 57221
820 Adams Avenue, Suite 170
Trooper, PA 19403
(610) 650-8210

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

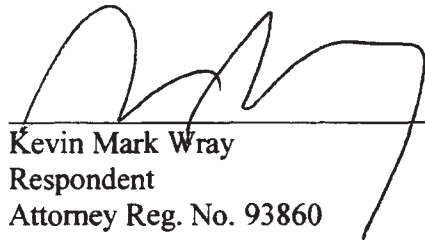
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KEVIN MARK WRAY,	:	
Respondent	:	(Delaware County)

**RESPONDENT'S AFFIDAVIT UNDER RULE 215(d) OF THE
PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT**

I, Kevin Mark Wray, Respondent in the above-captioned matter, hereby consent to the imposition of a suspension of one year and one day, as jointly recommended by the Petitioner, Office of Disciplinary Counsel, and myself, in a Joint Petition in Support of Discipline on Consent and further state:

1. My consent is freely and voluntarily rendered; I am not being subjected to coercion or duress; I am fully aware of the implications of submitting the consent;
2. I am aware there is presently an investigation into allegations that I have been guilty of misconduct as set forth in the Joint Petition;
3. I acknowledge that the material facts set forth in the Joint Petition are true;
4. I consent because I know that if the charges against me were prosecuted I could not successfully defend against them; and

5. I acknowledge that I am fully aware of my right to consult and employ counsel to represent me in the instant proceeding. I have not retained, consulted and acted upon the advice of counsel in connection with this decision to execute the within Joint Petition.


Kevin Mark Wray
Respondent
Attorney Reg. No. 93860

Sworn to and Subscribed
before me this 3rd day
of May, 2017.


Notary Public

