

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1456 Disciplinary Docket No. 3
Petitioner :
 :
 :
v. : No. 201 DB 2008
 :
 :
ALVIN RAY HOOVER, : Attorney Registration No. 86673
Respondent : (Snyder County)

ORDER

PER CURIAM:

AND NOW, this 30th day of April, 2012, there having been filed with this Court by Alvin Ray Hoover his verified Statement of Resignation dated February 3, 2012, stating that he desires to resign from the Bar of the Commonwealth of Pennsylvania in accordance with the provisions of Rule 215, Pa.R.D.E., it is

ORDERED that the resignation of Alvin Ray Hoover is accepted; he is disbarred on consent from the Bar of the Commonwealth of Pennsylvania; and he shall comply with the provisions of Rule 217, Pa.R.D.E. Respondent shall pay costs, if any, to the Disciplinary Board pursuant to Rule 208(g), Pa.R.D.E.

A True Copy John A. Vaskov, Esquire
As Of 4/30/2012

Attest: 
Deputy Prothonotary
Supreme Court of Pennsylvania

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL	:	No. 1456 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 201 DB 2008
v.	:	
	:	Attorney Registration No. 86673
ALVIN RAY HOOVER	:	
Respondent	:	(Snyder County)

RESIGNATION BY RESPONDENT

Pursuant to Rule 215
of the Pennsylvania Rules of Disciplinary Enforcement

Re: Office of Disciplinary Counsel
v. ALVIN RAY HOOVER
No. 1456 Disciplinary Docket No. 3
No. 201 DB 2008
Attorney Registration No. 86673
(Snyder County)

RECORD OF PRIOR DISCIPLINE

None

BEFORE THE DISCIPLINARY OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL :	No. 1456 Disciplinary Docket No. 3
Petitioner :	
	:
	:
	:
v. :	:
ALVIN RAY HOOVER :	Attorney Registration No. 86673
	:
Respondent :	(Snyder County)

RESIGNATION STATEMENT UNDER RULE 215, PA. R. D. E.

I, Alvin Ray Hoover, hereby resign from the practice of law in the Commonwealth of Pennsylvania in conformity with Rule 215 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), and further state as follows:

1. I was admitted to the bar of the Commonwealth of Pennsylvania on January 5, 2001.
2. I desire to resign from the Bar of the Commonwealth of Pennsylvania.
3. This resignation is freely and voluntarily rendered.
4. I am not being subjected to coercion or duress.
5. I am fully aware of the implications of submitting this resignation, including the fact it is irrevocable, and that I can only apply for reinstatement to the practice of law pursuant to the provisions of Pa.R.D.E. 218(b).
6. I am presently without representation, having been given a full and fair opportunity to obtain counsel in connection with these matters.

7. I am aware of a pending investigation by the Office of Disciplinary Counsel into matters which are also the subject of a criminal conviction in the Court of Common Pleas of the 17th Judicial District, Snyder County, docketed to 291-CR-2007 (Snyder County).

8. On December 17, 2007, following a mental health evaluation at Warren State Hospital, I pled guilty but mentally ill to Count 1 - Arson (Endangering Persons) in violation of 18 Pa.C.S.A. §3301(a)(1)(i) (see Criminal Information attached hereto as Exhibit A).

9. On July 21, 2008, I was sentenced to 11-1/2 months to 23 months, and a consecutive 18-year period of probation. I am subject to various probation terms and conditions, including a requirement that I fully participate in mental health treatment. (See Sentencing Order attached hereto as Exhibit B).

10. I acknowledge the foregoing material facts regarding my criminal conviction are true.

11. I am submitting this resignation because I know and acknowledge my conduct was in violation of Rule of Professional Conduct 8.4(b), which prohibits criminal acts by a lawyer that reflect adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.

12. I also know and acknowledge that my criminal conviction, in and of itself, constitutes an independent basis for discipline pursuant to Pennsylvania Rule of Disciplinary Enforcement 203(b)(1).

13. I am submitting this resignation because I know that if charges were predicated upon the misconduct under investigation I could not successfully defend against them.

14. Based upon this criminal conviction, your Honorable Court issued an Order, dated June 11, 2009, placing me on temporary suspension, pursuant to Pennsylvania Rule of Disciplinary Enforcement 214(d)(1).

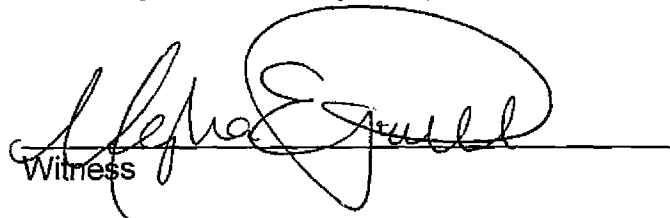
15. I also acknowledge that while incarcerated in the Snyder County Prison on October 2, 2008, I was charged with simple assault, docketed to 453-CR-2008 (Snyder County). I pled guilty to this offense, and on May 28, 2009 was sentenced to 3 to 24 months confinement in a state correctional institution.

It is understood that the statements made herein are subject to the penalties of 18 Pa.C.S.A. §4904 (relating to unsworn falsification to authorities).

Signed this 3rd day of February, 2012.


Alvin Ray Hoover, Respondent

Feb. 3, 2012
Date


Witness

IN THE COURT OF COMMON PLEAS OF SNYDER COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

Criminal Action No. CP-55-CR-0000291-2007

COMMONWEALTH OF PENNSYLVANIA

VS.

ALVIN RAY HOOVER

RECEIVED
PROthonotary
SNYDER CO., PA.
2007 OCT 11 AM 10:15

The District Attorney of Snyder County, by this Information charges that on or about Tuesday, the 7th day of August, 2007, in said County of Snyder, ALVIN Ray HOOVER did,

COUNT 1: ARSON (ENDANGERING PERSONS)

18 Pa.C.S.A. Sec. 3301(a)(1)(i) -- Felony 1st DEGREE

intentionally starts a fire or causes an explosion, or if he aids, counsels, pays or agrees to pay another to cause a fire or explosion, whether on his own property or on that of another, and if: he thereby recklessly places another person in danger of death or bodily injury, including but not limited to a firefighter, police officer or other person actively engaged in fighting the fire.

COUNT 2: ARSON (ENDANGERING PROPERTY)

18 Pa.C.S.A. Sec. 3301(c)(1) -- Felony 2nd DEGREE

intentionally start a fire or cause an explosion whether on his own property or that of another, or did aid, counsel, pay or agree to pay another to cause an explosion with the intent of destroying or damaging a building or unoccupied structure of another.

COUNT 3: ARSON (RECKLESS BURNING OR EXPLODING)

18 Pa.C.S.A. Sec. 3301(d)(2) -- Felony 3rd DEGREE

intentionally start a fire or cause an explosion, or did aid, counsel, pay or agree to pay another to cause a fire or explosion, whether on his own property or on that of another, and thereby recklessly placed personal property of another having a value of \$5,000 or more in danger of damage or destruction.

COUNT 4: ARSON (POSSESSION OF EXPLOSIVE MATERIALS ETC)

18 Pa.C.S.A. Sec. 3301(f) -- Felony 3rd DEGREE

possess, manufacture or transport any incendiary or explosive material with the intent to use or to provide such device or material to commit any offense described in Subsection (a), (c) or (d).

COUNT 5: CAUSING OR RISKING CATASTROPHE

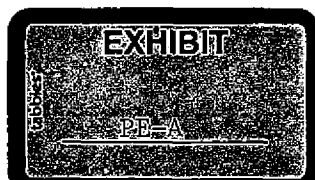
18 Pa.C.S.A. Sec. 3302(b) -- Felony 3rd DEGREE

recklessly create a risk of catastrophe in the employment of fire, and explosives, flood, avalanche, collapse of building, release of poison gas, radioactive material or other harmful or destructive force or substance, or by any other means of causing potentially widespread injury or damage.

On this 13th day of November, 2007

Cherise J. Kasper

LaDawn Motta
Adm. Sec.



ALVIN Ray HOOVER, -- Docket Number: CP-55-CR-0000291-2007

COUNT 6: CRIMINAL MISCHIEF (DAMAGE BY DANGEROUS MEANS)

18 Pa.C.S.A. Sec. 3304(a)(1) -- Felony 3rd DEGREE

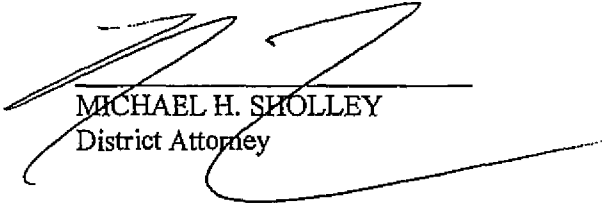
damage tangible property intentionally, recklessly, or by negligence in the employment of fire, explosives, or other dangerous means.

COUNT 7: RECKLESSLY ENDANGERING ANOTHER PERSON

18 Pa.C.S.A. Sec. 2705 -- Misdemeanor 2nd DEGREE

recklessly engage in conduct which placed or may have placed another in danger of death or serious bodily injury.

All of which is against the Acts of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.



MICHAEL H. SHOLLEY
District Attorney

Citation of Statute and Section: 18 Pa.C.S.A. Sec. 3301(a)(1)(i)
18 Pa.C.S.A. Sec. 3301(c)(1)
18 Pa.C.S.A. Sec. 3301(d)(2)
18 Pa.C.S.A. Sec. 3301(f)
18 Pa.C.S.A. Sec. 3302(b)
18 Pa.C.S.A. Sec. 3304(a)(1)
18 Pa.C.S.A. Sec. 2705

FILED

COPY

2008 JUL 21 PM 3:15

PROTHONOTARY
SNYDER CO., PA

IN THE COURT OF COMMON PLEAS OF THE 17TH JUDICIAL DISTRICT

SNYDER COUNTY BRANCH - CRIMINAL DIVISION

NO. CP-55-CR-0000291-2007

COMMONWEALTH OF PENNSYLVANIA :

VS :

ALVIN RAY HOOVER :

S E N T E N C E

AND NOW, this 21st day of July, 2008, the Defendant, Alvin Hoover, is sentenced under Count 1 of the Information to pay the court costs and costs of prosecution and such other fees as may be required by law, to make restitution in the amount of \$1,709,660.66 to Penn National Insurance Recovery Unit at PO Box 1670, Harrisburg, Pennsylvania, 17105-1670, to pay a case supervision fee in the amount of \$30.00 per month, and to undergo a period of incarceration in the Snyder County Prison for not less than eleven-and-one-half (11 1/2) months nor more than twenty-three

Colleen Victoria Colonna, RMR, CRR



(23) months, and to pay for any and all costs related to said incarceration, which sentence shall be effective immediately. The Defendant shall receive credit toward his sentence from August 15th of 2007.

Before the Defendant may be paroled, he must present a parole plan that is approved by both the Probation Department, CMSU, and the Court. Specifically, it must identify where the Defendant will actually be residing and what arrangements have been made to make sure that the Defendant has transportation from his residence to the programming testified to today by Ms. Getty. While on parole, the Defendant will be subject to all of the conditions listed below.

The Defendant is further sentenced to undergo a period of probation of eighteen (18) years under the supervision of the Snyder County Adult Probation Department, that probationary period to be served consecutively to the sentence of incarceration. During the Defendant's period of probation, he shall be subject to the conditions of probation set forth in a Judicial Administration Order filed to CP-55-AD-0000001 of 2007, including, but not limited to the following:

1. That he participate in and comply with any and all treatment recommendations made by CMSU Base Service Unit

and the Snyder County Probation Department, including, without limitation, participation in the Options programming, psychiatric rehabilitation, prescription compliance, and the like.

2. That the Defendant's residence be in Columbia, Montour, Snyder, or Union Counties unless the Court specifically approves a residence outside of those counties. Before the Court will approve such a residence outside of those counties, the Court will require that the Court be provided with confirmation from the Mental Health Services in the proposed county of residence that they are aware of Mr. Hoover and have a treatment plan immediately in place, and acceptance by the Probation Department in that county of a transfer of courtesy supervision.

3. That he have no contact with his siblings, their children, or any of the employees of his parents' business or businesses.

4. It is a further condition of the Defendant's probation and parole that he not approach within 100 yards of his parents' residence, the residence of his siblings, his parents' business or businesses, and the schools of his nieces and nephews. He is also not to approach within 100 yards of any place where his siblings may be employed.

5. That he not own or operate a motor vehicle

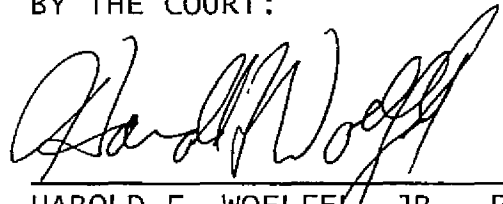
without the written permission of the Probation Department.

6. That he not possess any weapons of any type.

7. It is also a condition of the Defendant's probation and parole that he sign any and all releases necessary or requested by the Probation Department or CMSU to enable the Probation Department and CMSU to provide any other potential service providers or the Court information regarding the Defendant's treatment and programming compliance.

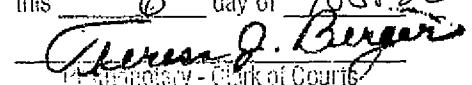
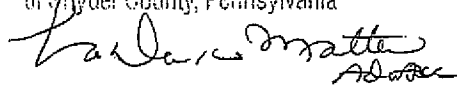
In addition, all other charges will be nol-prossed provided that the Defendant does not file an appeal or a post-sentence motion in the time frame as provided for in the Pennsylvania Rules of Criminal Procedure.

BY THE COURT:



HAROLD F. WOELFEL, JR., P.J.

CC/cc: Michael Sholley, District Attorney
Robert Steinberg, Assistant Public Defender
Defendant
Sheriff
Warden
Snyder County Probation
CMSU

Certified and Extracted from the Record
this 6th day of Nov. 2009

Thomas J. Berger
Clerk of Courts
of Snyder County, Pennsylvania

K. J. Motta
ADACU