

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2959 Disciplinary Docket No. 3
: :
Petitioner : :
: : No. 32 DB 2023
v. : :
: :
CRAIG TYLER EDWARDS, : Attorney Registration No. 78679
: :
Respondent : (Bucks County)

ORDER

PER CURIAM

AND NOW, this 15th day of May, 2023, 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 Craig Tyler Edwards is suspended from the Bar of this Commonwealth for a period of one year and one day, retroactive to March 8, 2023. Respondent shall comply with the provisions of Pa.R.D.E. 217 and pay costs to the Disciplinary Board pursuant to Pa.R.D.E. 208(g).

A True Copy Nicole Traini
As Of 05/15/2023

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

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

OFFICE OF DISCIPLINARY COUNSEL, :	No. 2959 Disciplinary Docket
Petitioner :	No. 3
v. :	No. 32 DB 2023
CRAIG TYLER EDWARDS, :	Attorney Reg. No. 78679
Respondent :	(Bucks County)

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

Petitioner, the Office of Disciplinary Counsel (“ODC”), by Thomas J. Farrell, Chief Disciplinary Counsel and Mark Gilson, Disciplinary Counsel, and Respondent, Craig Tyler Edwards (“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. Pursuant to Pa.R.D.E. 207, ODC, whose principal office is situated at Office of Chief Disciplinary Counsel, Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, Pennsylvania, 17106, is invested with the power and duty to investigate all matters involving alleged misconduct of an attorney admitted

FILED
03/21/2023
The Disciplinary Board of the
Supreme Court of Pennsylvania

to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the provisions of the Enforcement Rules.

2. Respondent was born on June 8, 1970, and is 52 years old. Respondent was admitted to the practice of law in the Commonwealth of Pennsylvania on December 16, 1996, and has been practicing for over 26 years. Respondent's attorney registration number is 78679. Respondent's registered office and mailing address is: 322 Center School Road, Perkasie, Pennsylvania 18944.

3. By Order dated March 8, 2023, Respondent was temporarily suspended pursuant to a Joint Petition to Temporarily Suspend an Attorney filed under Pa.R.D.E. 214(d)(5). Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court.

4. Respondent has no other record of discipline.

SPECIFIC FACTUAL ALLEGATIONS ADMITTED

5. On October 5, 2021 upon the completion of an investigation conducted by the Bucks County District Attorney's (hereinafter, "District Attorney's Office"), an arrest warrant and criminal complaint were filed charging Respondent with committing twenty-eight counts of theft-related

criminal offenses. All counts were initially charged as felonies based on the amounts alleged to have been involved.

6. On October 7, 2021, upon learning that criminal charges had been filed against him due to publication and circulation of the information by the Complainant, Mr. Donald Metzger, who was also Respondent's former employer, Respondent voluntarily appeared at the Bucks County Sheriff's Office and presented himself for arrest and processing. Respondent was released on unsecured bail.

7. On February 23, 2022, following a preliminary hearing conducted before Magisterial District Justice Gary Gamberdella, the court dismissed nineteen of the twenty-eight counts based on the prosecution's failure to establish a *prima facie* case as to those charges, and ordered Respondent held for court on nine counts of Theft By Failure to make Required Disposition of Funds Received in violation of 18 Pa.C.S.A. ¶ 3927(a). All nine counts were graded as a felony of the third degree. See *Commonwealth v. Craig Tyler Edwards*, MJ-07303CR-0000224-2021

8. Judge Gamberdella also ordered Respondent to immediately cease the practice of law as well as any activities related to Respondent's real estate brokerage business.

9. On March 25, 2022, the District Attorney's Office filed bills of information with the Bucks County Court of Common Pleas charging Respondent with the nine criminal offenses which had been ordered held for court.

10. On February 8, 2023, Respondent appeared before Judge Jeffrey L. Finley, Bucks County Court of Common Pleas, and pursuant to an agreement reached with the District Attorney's Office entered a plea of *nolo contendere* to a single count of Receiving Stolen Property in violation of 18 Pa.C.S.A. ¶ 3925, graded as a misdemeanor of the first degree. The court accepted Respondent's plea and adjudicated him guilty of the charge of receiving stolen property as a first-degree misdemeanor. Respondent was allowed to remain on bail, and sentencing in the matter was deferred to a date that will be scheduled by the court. There was no agreement between the parties regarding the sentence to be imposed by the court. See *Commonwealth v. Craig Tyler Edwards*, CP-09-CR-0003047-2022

11. The facts forming the basis for Respondent's plea and conviction were that while employed by a real estate development company owned by Mr. Metzger, Respondent sold several parcels of land on behalf of the company to a prospective buyer, and then failed to remit the proceeds of the sale totaling \$56,250 to his employer.

12. Respondent acknowledged by his no contest plea that if the criminal case were to proceed to trial, the evidence presented against him would be sufficient to prove his guilt and convict him of the charge of receiving stolen property.

13. Respondent reported his plea and conviction to ODC in compliance with Pa.R.D.E. 214(a), and has been cooperating with disciplinary authorities in this matter.

14. Pursuant to the terms of the plea agreement entered into with the District Attorney's Office, Respondent's sentencing hearing was deferred to provide Respondent time in which to: 1) make full restitution to the Complainant; and 2) enter into an agreement with ODC to file with the Board a consent discipline petition recommending that discipline in the form of a suspension of one year and one day be imposed in this matter. If Respondent fulfills both of these requirements, there is an expectation by the parties that the trial court will sentence Respondent to a period of probation.

15. On February 9, 2023, Respondent and ODC filed a Joint Petition to Temporarily Suspend an Attorney pursuant to Pa.R.D.E. 214(d)(5).

16. By Order dated March 8, 2023, the Court granted the petition and placed Respondent on temporary suspension pursuant to Pa.R.D.E. 214(d)(5).

**RULES OF PROFESSIONAL MISCONDUCT AND DISCIPLINARY
ENFORCEMENT VIOLATED**

17. Respondent violated the following Rules of Professional Conduct (“RPC”) and Enforcement Rules: RPC 8.4(b), which states that it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects; and Pa.R.D.E. 203(b)(1), which provides that conviction of a crime is grounds for discipline.

SPECIFIC RECOMMENDATION FOR DISCIPLINE

18. Respondent hereby consents to the discipline being imposed upon him by the Supreme Court. Respondent’s affidavit required by Pa.R.D.E. 215 stating, *inter alia*, his consent to the recommended discipline is attached as Exhibit A.

19. ODC and Respondent jointly recommend that an appropriate discipline for Respondent’s admitted misconduct is a one year and one day suspension from the practice of law.

20. In support of ODC’s and Respondent’s joint recommendation, it is respectfully submitted that the following mitigation circumstances are present:

- a. Respondent has no prior record of discipline;

- b. Respondent has no other criminal convictions;
- c. Respondent cooperated with law enforcement authorities;
- d. Respondent accepted responsibility for his criminal conduct by waiving his preliminary hearing and entering into an agreement with prosecutors to plead no contest and resolve his case;
- e. Respondent agreed to make full restitution to Complainant as a condition of his plea agreement;
- f. Respondent cooperated with ODC in its investigation;
- g. Respondent agreed to the temporary suspension of his law license pending final disposition of his disciplinary matter; and
- h. Respondent has expressed his willingness to enter into consent discipline and accept public discipline in the form of a suspension of one year and one day.

21. As with all disciplinary matters predicated on a criminal conviction, the sole issue to be resolved is the extent of discipline to be imposed on Respondent. *Office of Disciplinary Counsel v. Eilberg*, 441 A.2d 1193 (Pa. 1982). Consideration must be given to any aggravating or mitigating factors. *Office of Disciplinary Counsel v. Valentino*, 730 A.2d 479 (Pa. 1999).

22. In this matter, Respondent's conviction of a single, non-violent, theft-related misdemeanor offense, coupled with the mitigating circumstances, to include: Respondent's lack of prior discipline and criminal

record; cooperation with Petitioner and law enforcement authorities; agreement to make full restitution to the Complainant; agreement to an immediate temporary suspension; and acceptance of responsibility for his actions as evidenced by his plea in the criminal case and willingness to accept public discipline in the form of a suspension of one year and one day in the disciplinary case, all serve to justify and support the imposition of a suspension of one year and one day in this matter. This resolution will require Respondent to prove his fitness to practice before he can be reinstated to the practice of law, and as such it will serve to protect the public as well as maintain the interests of the legal profession and the Bar of the Commonwealth of Pennsylvania.

23. Precedent establishes that a suspension of one year and one day has been imposed in similar cases involving attorneys whose misconduct involved theft-related criminal acts.

In the recent case of ***Office of Disciplinary Counsel v. Scott Michael Jocken***, 162 DB 2021 (S. Ct. Order 1/6/22), the Court approved consent discipline of a suspension for one year and one day for an attorney who made 40 unauthorized charges totaling \$18,559.79 on his firm's credit card over a period of 15 months. Upon discovery of the theft, the attorney agreed to cease improper usage of the credit card and repay the firm the money he

stole, but thereafter failed to make full restitution and incurred an additional 30 charges before he was terminated by his employer. The law firm declined to press criminal charges despite the attorney having committed crimes related to theft and unauthorized use of a credit card. Similarly, in ***Office of Disciplinary Counsel v. Will R. Balaban***, 23 DB 2019 (S. Ct. Order. 4/15/19), the Court approved consent discipline for a suspension of one year and one day for an attorney who stole \$75,000 that was to be held in trust for a third party pending the outcome of civil litigation. The attorney admitted his misconduct and replenished the account with his own funds. The Disciplinary Panel that recommended approval of the joint petition noted that “a one-year and one-day license suspension is sufficient to protect the public.” Similarly, in ***In re Anonymous***, 8 DB 1997 (S. Ct. Order 4/20/98), the Court imposed a one year and one day suspension of an attorney who stole an unspecified amount of funds from his law firm through theft of cash retainers he received over a 13-month period. ***See also Office of Disciplinary Counsel v. Ryan D. Breen***, 134 DB 2020 (S. Ct. Order. 11/9/20)(consent discipline of a suspension of one year and one day approved for an attorney charged with committing insurance fraud stemming from an auto accident); ***Office of Disciplinary Counsel v. Charles C. Staropoli***, 97 DB 2002 (S. Ct. Order. 7/8/04)(the Court suspended an

attorney for one year after he deposited settlement funds into his personal bank account, and thereafter stole a portion of the funds by failing to make required disposition of fees owed to his firm); and *In re Anonymous*, 115 DB 2000 (S. Ct. Order 1/31/02)(the Court imposed a one year suspension on an attorney who stole a check in the amount of \$5,895.23 that belonged to his law firm).

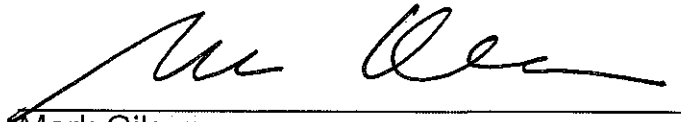
24. Based on Respondent's conviction, the mitigating factors, and precedent established by discipline imposed in similar cases involving attorneys who engaged in criminal conduct involving theft-related offenses, it is recommended that the Joint Petition in Support of Discipline on Consent Under Rule Pa.R.D.E. 215(d) in which the recommended discipline is a suspension of one year and one day be approved.

WHEREFORE, Petitioner and Respondent respectfully request, pursuant to Pennsylvania Rules of Disciplinary Enforcement 215(e) and 215(g), that a three member panel of the Disciplinary Board review and approve the Joint Petition in Support of Discipline on Consent and file a recommendation with the Supreme Court of Pennsylvania that Respondent receive a suspension of one year and one day.

Respectfully submitted,
OFFICE OF DISCIPLINARY COUNSEL
THOMAS J. FARRELL

Attorney Registration No. 48976
Chief Disciplinary Counsel

3/21/23
DATE



Mark Gilson
Disciplinary Counsel
Attorney Registration Number 46400
Office of Disciplinary Counsel

3/21/23
DATE




Craig Tyler Edwards
Respondent
Attorney Registration Number 78679

VERIFICATION

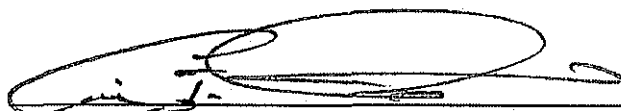
The statements contained in the foregoing *Joint Petition In Support of Discipline on Consent Discipline* are true and correct to the best of my knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

3/21/23
DATE



Mark Gilson, Esquire
Disciplinary Counsel

3/21/23
DATE



Craig Tyler Edwards
Respondent

EXHIBIT A

3. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress, and he is fully aware of the implications of submitting this affidavit.

4. He is aware that there is presently pending a proceeding regarding allegations that he has been guilty of misconduct as set forth in the Joint Petition in Support of Discipline on Consent Pursuant to Pa.R.D.E. 215(d) to which this affidavit is attached.

5. He acknowledges that the material facts set forth in the Joint Petition are true.

6. He submits this affidavit because he knows that if charges predicated upon his criminal conviction were filed, or continued to be prosecuted in the pending proceeding, he could not successfully defend against them.

7. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He has chosen to represent himself in this matter and has made his own decision to execute the Joint Petition.

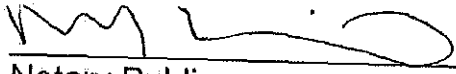
It is understood that the statements made herein are subject to the penalties of 18 Pa.C.S.A. §4904 (relating to unsworn falsification to authorities).

Signed this 21st day of March, 2023.


Craig Tyler Edwards

Sworn to and subscribed
Before me on this 21st
day of March, 2023

Commonwealth of Pennsylvania - Notary Seal
MARY PINYARD - Notary Public
Montgomery County
My Commission Expires January 13, 2027
Commission Number 1431827


Notary Public

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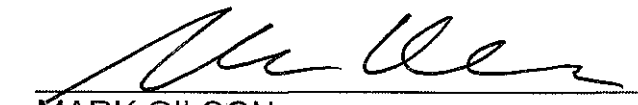
CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document upon all parties of record in this proceeding in accordance with the requirements of 204 Pa. Code §89.22 (relating to service by a participant).

First Class Mail and Email, as follows:

Craig Tyler Edwards
322 Center School Road
Perkasie, PA 18944
edwards@land-attorney.com

Dated: 3/21/23

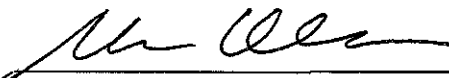


MARK GILSON
Disciplinary Counsel
Office of Disciplinary Counsel

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Office of Disciplinary Counsel

Signature: 

Name: Mark Gilson

Attorney No.: 46400