

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2044 Disciplinary Docket No. 3  
Petitioner :  
v. : No. 35 DB 2014  
KENNETH A. KOVALESKI, : Attorney Registration No. 90420  
Respondent : (Lackawanna County)

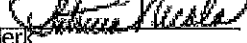
ORDER

**PER CURIAM:**

AND NOW, this 23<sup>rd</sup> day of September, 2014, there having been filed with this Court by Kenneth A. Kovaleski his verified Statement of Resignation dated June 10, 2014, 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 Kenneth A. Kovaleski is accepted; he is disbarred on consent from the Bar of the Commonwealth of Pennsylvania retroactive to April 24, 2014; 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 Patricia Nicola  
As Of 9/23/2014

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

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

OFFICE OF DISCIPLINARY COUNSEL	:	No. 2044 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 35 DB 2014
v.	:	
	:	Attorney Registration No. 90420
KENNETH A. KOVALESKI	:	
Respondent	:	(Lackawanna County)

**RESIGNATION BY RESPONDENT**

Pursuant to Rule 215  
of the Pennsylvania Rules of Disciplinary Enforcement

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,:	File Nos. C3-12-657
Petitioner :	
:	
:	Attorney Registration No. 90420
:	
KENNETH A. KOVALESKI, :	
Respondent :	(Lackawanna County)

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

I, Kenneth A. Kovaleski, hereby resign from the practice of law in the Commonwealth of Pennsylvania in conformity with Rule 215 of the Pennsylvania Rules of Disciplinary Enforcement, and further state as follows:

1. I desire to resign from the Bar of the Commonwealth of Pennsylvania.
2. This resignation is freely and voluntarily rendered.
3. I am not being subjected to coercion or duress.
4. 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).
5. I am currently being represented by Todd A. Johns, Esquire, 960 Scranton-Carbondale Highway, Archbald, PA 18403.

6. The material facts related to the professional misconduct which has caused me to submit this Resignation Statement are set forth in Exhibit A, which is attached hereto and incorporated herein.

7. I acknowledge that the material facts in Exhibit A are true.

8. I am submitting my resignation because I cannot successfully defend against charges of professional misconduct arising from the conduct set forth in Exhibit A.

9. By Order of your Honorable Court dated April 24, 2014, I was placed on temporary suspension pursuant to Rule 214(d)(2), Pa.R.D.E. I respectfully request that my disbarment be made retroactive to this date.

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 10<sup>th</sup> day of JUNE, 2014.



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Kenneth A. Kovaleski, Respondent



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Todd A. Johns, Esquire  
Counsel for Respondent

## EXHIBIT A TO KOVALESKI RESIGNATION STATEMENT

### Criminal Conviction

1. On February 26, 2014 I was found guilty by a Lackawanna County jury of the following: Rape By Forcible Compulsion, 18 Pa.C.S.A. § 3121(a-1) (a felony of the first degree); Statutory Sexual Assault, 18 Pa.C.S.A. § 3122.1(a-1) (a felony of the second degree); Incest, 18 Pa.C.S.A. § 4302(a) (a felony of the second degree); Involuntary Deviate Sexual Intercourse w/Person Less Than 16, 18 Pa.C.S.A. § 3123(a-7) (a felony of the first degree); Involuntary Deviate Sexual Intercourse By Forcible Compulsion, 18 Pa.C.S.A. § 3123(a-1) (a felony of the first degree); Unlawful Contact with Minor, 18 Pa.C.S.A. § 6318(a-1) (a felony of the first degree); Aggravated Indecent Assault Person Less Than 16, 18 Pa.C.S.A. § 3125(a-8) (a felony of the second degree); Endangering Welfare of Children – Parent/Guardian/Other Commits Offense, 18 Pa.C.S.A. § 4304(a-1) (a felony of the third degree); Corruption of Minors, 18 Pa.C.S.A. § 6301(a-1i) (a misdemeanor of the first degree); and Indecent Assault Without Consent, 18 Pa.C.S.A. § 3126(a-1) (a misdemeanor of the second degree).
2. I am presently awaiting sentencing.
3. I admit that the conduct I was convicted of engaging in constitutes violations of the following Rule of Professional Conduct and the Pennsylvania Rules of Disciplinary Enforcement:
  - a. RPC 8.4(b), which provides 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.

- b. Pa.R.D.E. 203(b)(1), which provides that a conviction of a crime shall be grounds for discipline.