

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	No. 2866 Disciplinary Docket No. 3
	:
Petitioner	: No. 144 DB 2021
	:
v.	: Attorney Registration No. 29928
	:
JAMES HARRY TURNER,	: (Dauphin County)
	:
Respondent	:
	:

ORDER

PER CURIAM

AND NOW, this 14th day of April, 2022, 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 James Harry Turner is suspended on consent from the Bar of this Commonwealth for a period of two years. Respondent shall comply with all the provisions of Pa.R.D.E. 217 and pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Nicole Traini
As Of 04/14/2022

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL	:	No. 144 DB 2021
Petitioner	:	
	:	
v.	:	Attorney Registration No. 29928
	:	
JAMES HARRY TURNER	:	
Respondent	:	(Dauphin County)
	:	

RECOMMENDATION OF THREE-MEMBER PANEL
OF THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

The Three-Member Panel of the Disciplinary Board of the Supreme Court of Pennsylvania, consisting of Board Members Dion G. Rassias, Hon. Eugene F. Scanlon, Jr. and Gretchen A. Mundorff, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on February 23, 2022.

The Panel approves the Joint Petition consenting to a two year suspension and recommends to the Supreme Court of Pennsylvania that the attached Petition be Granted.

The Panel further recommends that any necessary expenses incurred in the investigation and prosecution of this matter shall be paid by the respondent-attorney as a condition to the grant of the Petition.



Dion G. Rassias, Panel Chair
The Disciplinary Board of the
Supreme Court of Pennsylvania

Date: 3.4.22

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 144 DB 2021
Petitioner	:	
	:	
v.	:	Attorney Reg. No. 29928
	:	
JAMES HARRY TURNER,	:	
Respondent	:	(Dauphin 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 Thomas J. Farrell, Chief Disciplinary Counsel, and Marie C. Dooley, Disciplinary Counsel and James Harry Turner, Esquire (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. 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, 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.

2. Respondent was born on October 11, 1953, and was admitted to practice law in the Commonwealth on October 12, 1979. Respondent is on active status and his last registered address is 915 N. Mountain Road, Suite D, Harrisburg, PA 17112.

FILED
02/23/2022
The Disciplinary Board of the
Supreme Court of Pennsylvania

3. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court.

SPECIFIC FACTUAL ALLEGATIONS ADMITTED

4. Respondent specifically admits to the truth of the factual allegations and conclusions of law contained in paragraphs 1 through 69 herein.

A. Brandan Miller Appeal

5. On September 5, 2018, Complainant, Brandan L. Miller (hereinafter "Mr. Miller") a young adult with learning disabilities, filed an application for disability benefits and supplemental security income with the Social Security Administration ("SSA") based on diagnosed psychiatric and neurological disorders.

6. On October 27, 2018, the SSA issued a Notice of Disapproved Claim for disability benefits, which stated that Mr. Miller was ineligible for benefits because of his brief work history. At or around the same time, the Pennsylvania Department of Labor, Bureau of Disability Determination (BDD) also reviewed Mr. Miller's medical eligibility for disability benefits.

7. On January 16, 2019, Peter Garito, PhD, issued a Disability Determination Explanation that determined Mr. Miller was not disabled.

8. On January 22, 2019, the SSA issued an additional Notice of Disapproved Claim, which:

- a. stated that Mr. Miller's medical conditions were not severe enough to prevent him from working; and

- b. advised that an appeal of the denial was due within 60 days; requests for hearings must be in writing and failure to file a timely appeal could result in a loss of benefits.

9. Pursuant to the January 22, 2019 notice, the appeal deadline was on or before March 28, 2019.

10. On February 4, 2019, Mr. Miller retained Respondent to represent him in his SSA appeal and prepare the necessary documentation.

11. Respondent provided a fee agreement to Mr. Miller that stated if successful he charged a fee that would be automatically withheld by the SSA, which was the lesser of: 25% of all past due benefits awarded to Mr. Miller, or the equivalent to the dollar amount established pursuant to 42 U.S.C. §406(a)(2)(A), and approximately \$6,000.00.

12. On or about February 13, 2019, Respondent filed with the SSA his contingent fee agreement and Mr. Miller's Appointment of Representative, which expressly stated that Respondent would stand ". . . entirely in [Mr. Miller's] place; make any request or give any notice; give or draw out evidence or information; get information; and receive any notice in connection with [] pending claim(s) or asserted right(s)."

13. Prior to the appeal deadline of March 28, 2019, Respondent failed to:
 - a. respond to Mr. Miller's multiple telephone calls about the matter;
 - b. contact Mr. Miller to advise him of the status of his appeal;
 - c. explain to Mr. Miller the legal strategy and timeline; or
 - d. discuss with Mr. Miller any impediments to an appeal.

14. Respondent failed to take any steps to file the appeal or otherwise preserve Mr. Miller's right to a hearing.

15. Respondent failed to inform Mr. Miller he had missed the appeal deadline.

16. After March 28, 2019, Mr. Miller made numerous unsuccessful attempts to contact Respondent following the deadline to discuss the appeal.

17. From February of 2019 through December of 2020, Respondent failed to contact Mr. Miller or take action to rectify the appeal issues.

18. In December of 2020, Respondent finally communicated with Mr. Miller and agreed to meet with him.

19. At the meeting with Mr. Miller and his father, Kevin, Respondent admitted that he failed to handle the appeal and had lost Mr. Miller's information.

20. Respondent advised the Millers that he would take steps to reinstate the benefits case.

21. Notwithstanding his representations, Respondent took no additional action on Mr. Miller's behalf.

22. On July 7, 2021, ODC sent Respondent a DB-7 Request for Statement of Respondent's Position ("DB-7") via email, first class and certified mail, return receipt requested, to Respondent's registered address.

23. The DB-7 identified the relevant allegations and provided the Respondent thirty (30) days to respond.

24. The DB-7 further advised that failure to respond without good cause would be an independent ground for discipline and could result in ODC seeking to impose discipline based on the allegations and Respondent's violation of Pa.R.D.E. 203(b)(7).

25. Respondent received the DB-7.
26. Despite receiving the DB-7, Respondent failed, without good cause, to timely submit a response to the DB-7.
27. On August 23, 2021, *via* email, first class and certified mail, return receipt requested, ODC sent Respondent a 10-day notice letter, which again enclosed the DB-7, and requested a response on or before September 2, 2021.
28. Respondent received the August 23, 2021 correspondence.
29. Despite receiving the August 23, 2021 correspondence, Respondent failed to respond to the DB-7 or otherwise communicate with ODC regarding the Miller matter.
30. On October 28, 2021, ODC filed a Petition for Discipline in connection with Respondent's misconduct in the Miller matter.
31. On October 29, 2021, Respondent agreed to accept service of the Petition for Discipline by email, which was sent to him at his email address of record.
32. On November 1, 2021, Respondent returned a signed Acceptance of Service acknowledging receipt of the Petition for Discipline.
33. Respondent failed to file an answer to the Petition for Discipline.
34. Absent the filing of a timely answer to the Petition for Discipline, all factual allegations are deemed admitted.

SPECIFIC RULES OF PROFESSIONAL CONDUCT VIOLATED

35. Respondent violated the following Rules of Professional Conduct:
 - a. RPC 1.1 – “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 – “A lawyer shall act with reasonable diligence and promptness in representing a client;”
- c. RPC 1.4(a)(2) – “A lawyer shall ... reasonably consult with the client about the means by which the client's objectives are to be accomplished;”
- d. RPC 1.4(a)(3) – “A lawyer shall ... keep the client reasonably informed about the status of the matter;”
- e. RPC 1.4(a)(4) – “A lawyer shall ... promptly comply with reasonable requests for information;”
- f. RPC 1.4(b) – “A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation;”
- g. RPC 3.2 – “A lawyer shall ... make reasonable efforts to expedite litigation consistent with the interests of the client;” and
- h. Pa.R.D.E. 203(b)(7) – “The following shall also be grounds for discipline: ... Failure 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.”

B. Belcamino Bankruptcy Matter

36. In the summer of 2021, Candace Belcamino (hereinafter “Ms. Belcamino”) engaged Respondent as counsel for her chapter 7 bankruptcy filing.

37. At the outset of the engagement, Respondent advised Ms. Belcamino that she qualified for relief pursuant to Chapter 7 of title 11 of the United States Code (“Bankruptcy Code”).

38. Ms. Belcamino agreed to pay Respondent \$1,295 in legal fees and \$400 in filing costs.

39. Respondent delegated preparation of Ms. Belcamino's bankruptcy petition to nonlawyer staff member, Pat Kreitzer.

40. On August 9, 2021, Ms. Kreitzer sent an email to Ms. Belcamino that expressly assured Ms. Belcamino she was Chapter 7 eligible.

41. As of September 20, 2021, Ms. Belcamino paid her legal fee in full to Respondent.

42. On October 29, 2021, Respondent filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code on Ms. Belcamino's behalf in the United States Bankruptcy Court for the Middle District of Pennsylvania ("Bankruptcy Court"), which commenced Case No. 1:21-BK-02334-HWV.

43. The October 29, 2021 bankruptcy petition included Respondent's Disclosure of Compensation pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), which certified Respondent received \$1,295.00 for his bankruptcy legal services.

44. On or about November 1, 2021, the appointed Chapter 7 trustee for the Belcamino bankruptcy matter scheduled the meeting of creditors pursuant to 11 U.S.C. § 341 for December 1, 2021.

45. On November 15, 2021, the Office of the United States Trustee ("UST") sent a letter to Respondent that initiated an inquiry into Ms. Belcamino's financial affairs.

46. On November 17, 2021, despite earlier assurances that Ms. Belcamino qualified for a Chapter 7 filing, Ms. Kreitzer advised Ms. Belcamino that Respondent changed course and was now advising Ms. Belcamino that she did not qualify for a Chapter 7 but rather had to convert the matter to a Chapter 13 case.

47. Chapter 13 bankruptcies require payment of debts over time.

48. Respondent failed to properly assess Ms. Belcamino's financial status and provide accurate recommendations to Ms. Belcamino regarding her bankruptcy filing.

49. In early December of 2021, Respondent prepared Chapter 13 related filings, including Ms. Belcamino's:

- a. Chapter 13 plan;
- b. pre-confirmation certification of compliance with post-petition obligation;
and
- c. affidavit ("Disbursement Affidavit") regarding disbursement of Chapter 13 funds, which stated that if Ms. Belcamino's case was dismissed and/or converted to a Chapter 7 prior to confirmation, she assigned and authorized payment of all remaining funds held in trust by the standing Chapter 13 trustee, pursuant to the Belcamino Chapter 13 plan, to Respondent for purposes of attorney compensation with the balance, if any, to be forwarded to Ms. Belcamino thereafter.

50. Respondent failed to explain the necessity of the Disbursement Affidavit to Ms. Belcamino.

51. Ms. Belcamino called Respondent's office regarding the Chapter 13 filing but was unable to reach anyone to discuss her concerns.

52. On December 14, 2021, Ms. Belcamino executed the Chapter 13 documents.

53. On December 28, 2021, Ms. Belcamino sent an email to Ms. Kreitzer that requested information and explanations regarding her Chapter 13 case and expressed concern about the matter and the legal representation.

54. Respondent, as bankruptcy counsel, failed to promptly respond to Ms. Belcamino's questions and requests for calls regarding her bankruptcy matter.

55. The Chapter 7 trustee adjourned the December 1, 2021 Section 341 meeting of creditors and continued it to January 5, 2022.

56. On or about January 5, 2022, Respondent advised the Chapter 7 trustee that Ms. Belcamino intended to convert Ms. Belcamino's case from Chapter 7 to a Chapter 13 bankruptcy.

57. The Chapter 7 trustee adjourned the January 5, 2022 Section 341 meeting of creditors and continued it to February 2, 2022.

58. Respondent failed to advise Ms. Belcamino of the February 2, 2022 meeting of creditors.

59. On January 26, 2022, Ms. Belcamino filed a complaint with ODC regarding Respondent's lack of competence and diligence in her bankruptcy matter, which commenced an investigation.

60. On January 31, 2022, the UST filed a First Motion to Extend Time to Object to Discharge with concurrence.

61. On February 1, 2022, the Bankruptcy Court granted the extension motion and extended the objection deadline of dischargeability.

62. As a result of Respondent's lack of communication and diligence, Ms. Belcamino failed to participate in the required meeting on February 2, 2022, which was to be held telephonically.

63. Ms. Belcamino was unaware she missed the appearance until she received a court notice in the mail, dated February 8, 2022, that:

- a. explained her failure to appear at the Section 341 meeting of creditors was grounds for dismissal of the bankruptcy case;
 - b. stated the Bankruptcy Court intended to dismiss Ms. Belcamino's bankruptcy case for her failure to appear; and
 - c. permitted Ms. Belcamino's until March 1, 2022 to object to dismissal and file a written explanation of her failure to appear at each scheduled Section 341 meeting of creditors.
64. On February 11, 2022, Ms. Belcamino emailed Respondent:
- a. complaining of his delays and failures;
 - b. expressing concerns regarding the Chapter 13 filing; and
 - c. terminating the attorney-client relationship.
65. On February 14, 2022, Ms. Belcamino sent Respondent a certified letter reiterating the termination of her relationship with Respondent and requesting a full refund.
66. On February 23, 2022, Respondent refunded the \$1,695 fee to Ms. Belcamino.

SPECIFIC RULES OF PROFESSIONAL CONDUCT VIOLATED

67. Respondent violated the following Rules of Professional Conduct:
- A. RPC 1.1 – “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 – “A lawyer shall act with reasonable diligence and promptness in representing a client;”

- C. RPC 1.4(a)(2) – “A lawyer shall ... reasonably consult with the client about the means by which the client's objectives are to be accomplished;”
- D. RPC 1.4(a)(3) – “A lawyer shall ... keep the client reasonably informed about the status of the matter;”
- E. RPC 1.4(a)(4) – “A lawyer shall ... promptly comply with reasonable requests for information;”
- F. RPC 1.4(b) – “A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation;”
- G. RPC 5.3(b) – “With respect to a nonlawyer employed or retained by or associated with a lawyer: . . . a lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer;” and
- H. RPC 5.3(c)(1) – a lawyer shall be responsible for conduct of such a person that would be a violation of the Rules of Professional Conduct if engaged in by a lawyer if: . . . the lawyer orders or, with the knowledge of the specific conduct, ratifies the conduct involved.

SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

68. ODC and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a suspension of two years.

69. Respondent hereby consents to a suspension two years being imposed upon him by the Supreme Court of Pennsylvania. Attached to this Petition is Respondent's executed affidavit required by Pa. R.D.E. 215(d), stating that he consents to the recommended discipline and including the mandatory acknowledgements contained in Pa.R.D.E. d)(1) through (4).

70. In support of the Joint Recommendation, it is respectfully submitted that the following mitigating circumstances are present in that:

- a. Respondent has admitted engaging in misconduct and violating the charged Pennsylvania Rules of Professional Conduct and Rules of Disciplinary Enforcement;
- b. Respondent has cooperated with ODC in connection with this Petition, as evidenced by Respondent's admissions herein and his consent to receive a two-year suspension;
- c. Respondent is remorseful for his misconduct and consents to receive a two-year suspension, which saves the resources of the attorney disciplinary system and necessitates that Respondent establish his fitness prior to resuming the practice of law; and
- d. Respondent has agreed to refund Ms. Belcamino's fee of \$1,695.

71. The parties agree that Respondent's very recent history of discipline for similar conduct is an aggravating factor.

72. On July 29, 2021, Respondent received an Informal Admonition (C3-19-908/C3-20-517) in connection with two separate client matters with a condition to refund \$1,000 for incompetence, delays and communication failures as counsel; Respondent's misconduct included failure to respond to two DB-7 Requests for Statement of Respondent's Position.

73. When addressing matters involving client neglect and disregard for the disciplinary system, the Pennsylvania Supreme Court has frequently imposed a suspension of one-year and one-day or greater. See, e.g. *ODC v. Brittany Maire Yurchyk*, No. 107 DB 2020 (D. Bd. Rpt. 10/22/2021) (S. Ct. Order 12/27/2021) (one-year and one-day suspension for, *inter alia*, failing to diligently pursue three client

matters, and submit a response facts and circumstances presented); *ODC v. Caroff*, 42 DB 2019 (D. Bd. Rpt. 02/25/20)(S. Ct. Order 06/05/20)(one-year and one-day suspension for, *inter alia*, delays and failures a short time after receipt of an Informal Admonition for “notably similar misconduct,” which was an aggravating factor because the timing of the additional misconduct suggested that the admonition had “little or no impact upon him); *ODC v. Barkley*, 144 DB 2016 (D. Bd. Rpt. 09/13/17)(S. Ct. Order 11/14/17)(Barkley’s disregard of professional responsibilities by ignoring ODC’s DB-7 letters of inquiry, and failure to participate in the disciplinary proceeding warranted a two-year suspension); *ODC v. Croslis*, 171 DB 2018 (D.Bd. Rpt. 03/12/19)(S. Ct. Order 04/15/19)(consent petition for two year suspension for delays and failures in multiple bankruptcy proceedings in which Croslis agreed his initial failure to participate in the disciplinary process warranted additional discipline).

74. As a seasoned practitioner with over 40 years’ experience, Respondent should have been cognizant of his ethical obligations to clients and duty to participate in the disciplinary process. However, as in *Caroff*, the Informal Admonition Respondent recently received for similar misconduct had little or no impact on Respondent. Despite multiple disciplinary inquiries, Respondent failed to provide any explanation for his misconduct and promptly take corrective action. Until recently, Respondent failed to participate in the disciplinary process. Moreover, Respondent continued the same pattern and practice of delays and failures in the Belcamino matter, while the current disciplinary action was pending. Thus, as in *Croslis*, additional discipline is warranted for Respondent’s continued delays and failures.

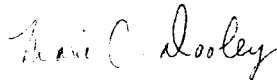
75. Through this joint petition, Respondent takes responsibility for his ethical violations.

WHEREFORE, ODC and Respondent respectfully request that your Honorable Board:

- a. approve this Petition and recommend that the Supreme Court of Pennsylvania enter an Order imposing a two-year suspension; and
- b. pursuant to Pa.R.D.E. 215(i), enter an order for Respondent to pay the necessary expenses incurred in the investigation and prosecution of this matter.

Respectfully submitted,
OFFICE OF DISCIPLINARY COUNSEL

Thomas J. Farrell,
Chief Disciplinary Counsel

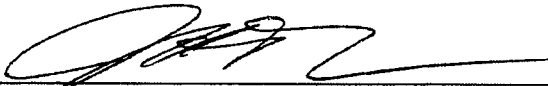


2/23/2022

DATE

MARIE C. DOOLEY, ESQUIRE
Disciplinary Counsel
Attorney Registration Number 203681
Office of Disciplinary Counsel
601 Commonwealth Ave., Suite 5800
P.O. Box 62675
Harrisburg, PA 17106-2675

2/23/22
DATE



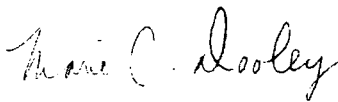
JAMES HARRY TURNER, ESQUIRE
Attorney Registration Number 29928
Respondent

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.

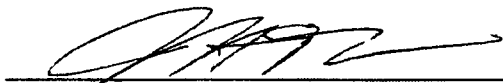
2/23/2022

DATE



MARIE C. DOOLEY, ESQUIRE
Disciplinary Counsel

2/23/22
DATE



JAMES HARRY TURNER, ESQUIRE
Attorney Registration Number 29928
Respondent

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 144 DB 2021
Petitioner	:	
	:	
v.	:	Attorney Reg. No. 29928
	:	
JAMES HARRY TURNER,	:	
Respondent	:	(Dauphin County)

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 and Overnight Mail, as follows:

James Harry Turner
TURNER & O'CONNELL
915 N. Mountain Road, Suite D
Harrisburg, PA 17112

Dated: 2/23/2022

Marie C. Dooley

MARIE C. DOOLEY, ESQUIRE
Disciplinary Counsel
Attorney Registration Number 203681
Office of Disciplinary Counsel
601 Commonwealth Ave., Suite 5800
P.O. Box 62675
Harrisburg, PA 17106-2675
820 Adams Avenue, Suite 170
Trooper, PA 19403

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, Petitioner	:	No. 144 DB 2021
	:	
v.	:	Attorney Reg. No. 29928
	:	
JAMES HARRY TURNER, Respondent	:	(Dauphin County)

AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF DAUPHIN:

James Harry Turner, being duly sworn according to law, deposes and hereby submits this affidavit consenting to the imposition a two-year suspension in conformity with Pa.R.D.E. 215(d) and further states as follows:

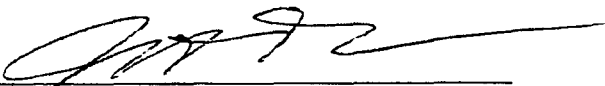
1. He is an attorney admitted in the Commonwealth of Pennsylvania, having been admitted to the bar on or about October 12, 1979.
2. He desires to submit a Joint Petition in Support of Discipline on Consent pursuant to Pa.R.D.E. 215(d).
3. His consent is freely and voluntarily rendered; he is not being 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 into 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 the within affidavit because he knows that if charges 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 her in the instant proceeding. He has not retained, consulted and acted upon the advice of counsel, in connection with his decision to execute the within 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 23 day of Feb, 2022.




JAMES HARRY TURNER, ESQUIRE
Attorney Registration Number 29928
Respondent

Respondent

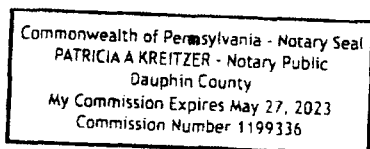
Sworn to and subscribed

before me this 23 day

of Jan, 2022.



Notary Public



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: Marie C. Dooley
Name: Marie C. Dooley
Attorney No. (if applicable): 203681