

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 2106 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 57 DB 2015
v.	:	
	:	Attorney Registration No. 6197
ZENFORD ANTONIO MITCHELL,	:	
Respondent	:	(Allegheny County)

ORDER

PER CURIAM:

AND NOW, this 4th day of June, 2015, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated May 13, 2015, the Joint Petition in Support of Discipline on Consent is hereby GRANTED pursuant to Pa.R.D.E. 215(g), and it is

ORDERED that Zenford Antonio Mitchell be suspended on consent from the practice of law in this Commonwealth for a period of one year and one day, that the suspension be stayed in its entirety and that he be placed on probation for a period of two years, subject to the following:

1. Respondent shall remain in compliance with all the conditions which were imposed as part of his criminal probation by the United States District Court for the Western District of Pennsylvania on June 25, 2014, at No. 2:13-cr-104.¹

¹ The parties have recited the probation conditions from the federal court's order and incorporated them as follows:

(continued...)

2. Two times each year, Respondent shall submit to the Secretary of the Board a Verification stating that he is in compliance with all such conditions.

A True Copy Patricia Nicola
As Of 6/4/2015

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

(...continued)

- a. In addition to “the standard conditions of supervision pursuant to Federal Probation Guidelines”, Respondent shall not illegally possess a controlled substance, shall not possess a firearm, ammunition, destructive device or any other dangerous weapon, shall be placed on home detention for a period of eight months and shall remain at his place of residence except for employment or other activities approved in advance by his probation officer;
- b. Respondent was to pay the cost of any electronic monitoring; shall not incur new credit charges or open additional lines of credit without the approval of the probation officer, shall provide the probation officer with access to any requested financial information, shall cooperate in the collection of DNA as directed by the probation officer, and shall participate in a mental health assessment and/or treatment program specializing in gambling addiction as approved by the probation officer.

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA


OFFICE OF DISCIPLINARY COUNSEL : No. 57 DB 2015
Petitioner :
v. : Attorney Registration No.6197
ZENFORD ANTONIO MITCHELL :
Respondent : (Allegheny 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 Andrew J. Trevelise, Tracey McCants Lewis and James C. Haggerty, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on April 6, 2015.

The Panel approves the Petition consenting to a one year and one day suspension to be stayed in its entirety and a two year period probation subject to the conditions set forth in the Joint Petition and recommends to the Supreme Court of Pennsylvania that the attached Joint 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.


Andrew J. Trevelise, Panel Chair
The Disciplinary Board of the
Supreme Court of Pennsylvania

Date: 5/13/2015

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :
: No. DB 2014
Petitioner :
: File Reference #C4-14-502
v. :
: :
ZENFORD ANTONIO MITCHELL, : Attorney Registration No. 61972
: :
Respondent : (Allegheny County)

JOINT PETITION IN SUPPORT OF DISCIPLINE
ON CONSENT UNDER RULE 215(d), Pa.R.D.E.

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and William R. Friedman, Disciplinary Counsel, and Zenford Antonio Mitchell, Esquire, Respondent, file this Joint Petition in Support of Discipline on Consent Under Rule 215(d), Pa.R.D.E, and respectfully represent as follows:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, PA 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the 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 Rules.

2. Respondent, Zenford Antonio Mitchell, was born on November 25, 1964. He was admitted to practice law in the Commonwealth of Pennsylvania on November 19, 1991. Respondent's attorney registration mailing address is 1001 California Avenue, P.O. Box 99937, Pittsburgh, PA 15233.

3. Respondent is on active status. He is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

4. By letter to the Office of the Prothonotary of the Supreme Court of Pennsylvania, Western District Office (Supreme Court Prothonotary) dated October 3, 2014, Petitioner filed with the Supreme Court, pursuant to Rule 214, Pa.R.D.E., a certified copy of an Order demonstrating that Respondent has been convicted of a serious crime.

SPECIFIC FACTUAL ADMISSIONS

5. On March 10, 2014, Respondent, at docket number 13-104 in the United States District Court for the Western District of Pennsylvania entered his plea of guilty to two counts of filing false tax returns for calendar year 2006 and for calendar year 2007.

6. The crimes of which Respondent was convicted are each punishable by a maximum penalty of a term of imprisonment of not more than three years, a fine of

not more than \$250,000, and a term of supervised release of not more than one year or all of the above.

7. The crimes of which Respondent was convicted are felonies under 26 U.S.C. §7206(1), and thus "serious" crimes as defined by Local Civil Rules of Court for the Western District (hereafter, LCvR), Rule 83.3 C.2.

8. On June 25, 2014, the Honorable Donetta W. Ambrose of the United States District Court for the Western District of Pennsylvania sentenced Respondent to four years' probation with conditions and to pay an assessment of \$200. There was no restitution ordered.

9. By Order of Court dated June 27, 2014, and entered by Chief Judge Joy Flowers Conti, pursuant to LCvR 83.3 C.1, Respondent was immediately suspended from the practice of law before the United States District Court for the Western District of Pennsylvania. (Exhibit 1)

SPECIFIC RULES OF PROFESSIONAL CONDUCT VIOLATED

10. By his conduct as alleged in paragraphs 5 through 8 above, Respondent, having been convicted of a serious crime pursuant to Rule 214, Pa.R.D.E., has engaged in conduct that is grounds for discipline, pursuant to Rule 203(b)(1), Pa.R.D.E.

AGGRAVATING AND/OR MITIGATING FACTORS

11. On June 25, 2014, Respondent was sentenced to four years' probation with conditions, and to pay an assessment of \$200. There was no restitution ordered and Respondent was not incarcerated.

12. One day later, by letter dated June 26, 2014, sent by fax to the Office of Disciplinary Counsel on June 26, 2014, Respondent self-reported his conviction to the Office of Disciplinary Counsel as required by Pennsylvania Rule of Disciplinary Enforcement 214(a). (Exhibit 2)

13. Respondent's June 26, 2014 fax also contained a letter dated June 23, 2014 that Respondent addressed to Judge Ambrose prior to sentencing, in which he explained his personal situation which led up to his misconduct and in which he expressed his remorse. (Please see Exhibit 2)

14. In his letter to Judge Ambrose, Respondent stated that he had fallen behind in filing his tax returns because he had become "overwhelmed" with his mother's illnesses and her medical condition. He explained that he had been involved with his mother's care "for years" prior to her death. He further explained that he was very devoted to his mother and would never do anything "to embarrass, shame or tarnish, all the effort and work she sacrificed for [him]."

15. Respondent also stated in the letter that he takes full responsibility for his errors, and that he provided statements to, as well as met with representatives of, the Internal Revenue Service. Respondent further stated that if he owes any taxes that he wished to have the ability and opportunity to work and pay any taxes that he owes. Respondent also stated that his wife, his church, and clients depend on him.

16. At Respondent's sentencing proceeding, Judge Ambrose stated that despite the seriousness of the offense, Respondent had been a "very productive member of the community."

17. She also stated that Respondent has served as a deacon of his church for the past 14 years and that there is a "very low risk of recidivism."

18. By letter dated June 27, 2014, sent by fax to the Office of Disciplinary Counsel on June 27, 2014, Respondent sent a copy of the Judgment Order issued by Judge Ambrose on June 25, 2014 and the Satisfaction which reflected Respondent's payment in full of the Probation Assessment. (Exhibit 3)

19. LCvR 83.3 C.1 requires that upon the filing with the Court of a certified copy of a judgment of conviction demonstrating that any attorney admitted to practice before this Court has been convicted of a serious crime as defined in LCvR 83.3 C.2 the Chief Judge shall enter an order immediately suspending that attorney.

20. LCvR 83.3 C.1 further states that upon good cause shown, the Chief Judge "may set aside such order when it appears in the interest of justice so to do upon concurrence of a majority of active Judges in service."

21. Chief Judge Conti's June 27, 2014 Order suspended Respondent forthwith from the Western District, but "pending final determination of the discipline to be imposed by this Court." (Please see Exhibit 1)

22. Chief Judge Conti further ordered that "the matter be referred to the Disciplinary Board of the Supreme Court for Report and Recommendation on the final discipline to be imposed by this Court." (Please see Exhibit 1)

23. As of February 26, 2015, Respondent was in compliance with the conditions of supervision including the successful completion of the electronic monitoring portion of Respondent's sentence. (Exhibit 4)

24. The crimes for which Respondent entered his plea of guilty were not against any of Respondent's clients, nor were his clients involved in any way.

25. As of the date of this Joint Petition in Support of Discipline on Consent, there is no complaint of record which would show that Respondent's conduct adversely impacted his representation of any clients.

26. Respondent has participated and cooperated with Disciplinary Counsel, in the prosecution of the within matter.

27. Respondent has admitted his misconduct.

28. Respondent, through the filing of this Joint Petition, expresses great remorse and accepts responsibility for his actions.

29. Over the course of his 23 years of practice, Respondent has not been the subject of discipline.

30. Although Respondent's law practice is focused on representing clients in Social Security matters, as of the date of this Joint Petition for Discipline on Consent, Respondent has not been suspended from practicing before the Social Security Administration.

SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

31. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is two years' probation with the same conditions imposed by the Court and a suspension from the practice of law for a period of one year and one day, stayed in its entirety.

32. Respondent hereby consents to that discipline being imposed upon him by the Supreme Court of Pennsylvania.

33. A two year probation with the same conditions imposed by the Court and a suspension of one year and one day, stayed in its entirety, will ensure that Respondent adheres to the Rules of Professional Conduct in both his professional

representation of clients, as well as those matters in his personal life which may reflect on his fitness as a lawyer.

34. Despite the seriousness of the crimes committed by Respondent, Judge Ambrose did not sentence him to incarceration, nor did she order any restitution.

APPLICABLE PRECEDENT AND HOW THE RECOMMENDED DISCIPLINE
COMPARES WITH DISCIPLINE IMPOSED IN REPORTED CASES

35. In the matter of *Office of Disciplinary Counsel v. Philip A. Valentino*, 730 A.2d 479 (Pa. 1999), the Supreme Court of Pennsylvania stated "In any disciplinary case arising from a criminal conviction, the events surrounding the criminal charge must be taken into account when determining an appropriate measure of discipline. . . . Consideration is to be given to any mitigating factors that are present." *Id.*, at 482. The court further stated that "[W]e recognize that the sentence imposed by the federal court has already provided Respondent with punishment for his misconduct. Disciplinary sanctions in contrast, are not designed for their punitive effects but rather are intended to protect the public from unfit attorneys and maintain the integrity of the legal system." *Id.*, at 482.

36. In *Office of Disciplinary Counsel v. McGill*, No. 87 DB 1993 (1995), Respondent, after trial, was acquitted of two counts of income tax evasion but was convicted of the lesser included offense of failure to pay on those counts. Respondent's conviction on two counts for failure to pay and one count of evasion

were affirmed following Respondent's appeal. Respondent was sentenced to a five year period of probation on each count, to run concurrently. With regard to disciplinary considerations, Respondent had no disciplinary history and the Hearing Committee, the Disciplinary Board, and the Supreme Court of Pennsylvania, imposed a public censure and a two year period of probation along with the appointment of a practice monitor.

37. *In the matter of Blonde Grayson Hall*, No. 75 DB 2007, by Order dated September 10, 2009, the Disciplinary Board of the Supreme Court recommended that Respondent be suspended from the bar for a period of one year and one day retroactive to August 17, 2007. By Order dated November 13, 2009, the Supreme Court of Pennsylvania agreed. In that matter, Respondent entered a plea of guilty to three counts of Willful Failure to File Return, Supply Information or Pay Tax and was sentenced to one year of incarceration. Although the Disciplinary Board found that there were mitigating factors, it stated Respondent was not credible when she contended that she did not realize that once her extension to file a return had expired that it became a crime not to file the return.

38. The Board in *Hall*, also cited *In Re Anonymous (Michael F. Newton)*, No. 38 DB 2001, 18 Pa. D.&C. 4th, 266 (1990), wherein Respondent entered a plea of guilty to two counts of failure to file state returns because of financial mismanagement. The Court imposed a suspension of one year and one day.

39. Because Respondent entered of a plea of guilty to two counts of filing false tax returns for calendar year 2006 and for calendar year 2007 and was not incarcerated but was sentenced to four years' probation with conditions, was ordered to pay an assessment of \$200 but was not ordered to pay restitution, an appropriate disposition of this matter is the imposition of a suspension for one year and one day, stayed in its entirety, and a two year period of probation, with the same conditions as those imposed by the Court.

40. By his conduct as alleged in paragraphs 5 through 33 above, Respondent, having been convicted of a serious crime pursuant to Rule 214, Pa.R.D.E., has engaged in conduct that is grounds for discipline, pursuant to Rule 203(b)(1).

WHEREFORE, Petitioner and Respondent respectfully request that:

(a) Pursuant to Rules 215(e) and 215(g), Pa.R.D.E., a three member panel of the Disciplinary Board approve the Joint Petition in Support of Discipline on Consent and file its recommendation with the Supreme Court of Pennsylvania in which it is recommended that the Supreme Court:

(i) Suspend Respondent from the practice of law for a period of one year and one day, which suspension shall be stayed in its entirety;

(ii) Place Respondent on probation for a period of two years subject to conditions;

(iii) Said conditions shall be those which were imposed by the United States District Court for the Western District of Pennsylvania on June 25, 2014.

(1) In addition to "the standard conditions of supervision pursuant to Federal Probation Guidelines, Respondent shall not illegally possess a controlled substance, shall not possess a firearm, ammunition, destructive device or any other dangerous weapon, shall be placed on home detention for a period of eight months and shall remain at his place of residence except for employment or other activities approved in advance by his probation officer.

(2) Respondent was to pay the cost of any electronic monitoring, shall not incur new credit charges or open additional lines of credit without the approval of the probation officer, provide the probation officer with access to any request of financial information, cooperate in the collection of DNA as directed by the probation officer, and participate in a mental health assessment and/or treatment program

specializing in gambling addiction as approved by the probation officer.

(b) During the two year term of probation set forth herein, twice a year, Respondent shall submit to the Secretary of the Board a Verification stating that he is in compliance with all conditions of his federal probation.

(c) Pursuant to Rule 215(i), the three member panel of the Disciplinary Board order Respondent to pay the necessary expenses incurred in the investigation and prosecution of this matter as a condition to the grant of the Petition and that all expenses be paid by Respondent before the imposition of discipline under Rule 215(g), Pa.R.D.E.

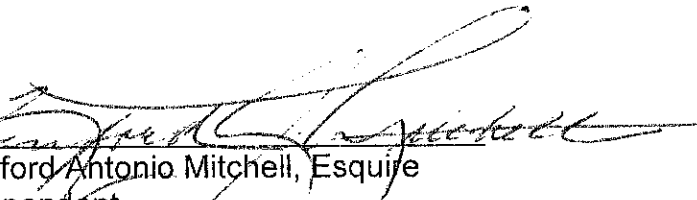
Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION
CHIEF DISCIPLINARY COUNSEL

By: 
William R. Friedman
Disciplinary Counsel

and

By: 
Zenford Antonio Mitchell, Esquire
Respondent

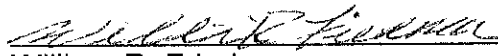
BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :
: No. DB 2014
Petitioner :
: File Reference #C4-14-502
v. :
: :
ZENFORD ANTONIO MITCHELL, : Attorney Registration No. 61972
: :
Respondent : (Allegheny County)

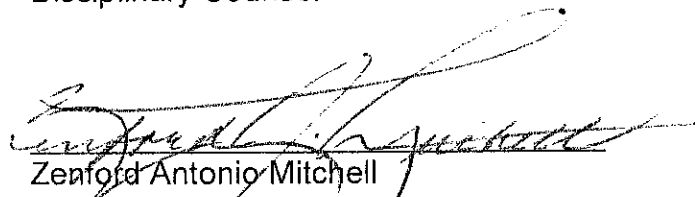
VERIFICATION

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

3-31-15
Date


William R. Friedman
Disciplinary Counsel

03-31-15
Date


Zenford Antonio Mitchell
Respondent

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, :
: No. DB 2014
Petitioner :
: File Reference #C4-14-502
v. :
: :
ZENFORD ANTONIO MITCHELL, : Attorney Registration No. 61972
: :
Respondent : (Allegheny County)


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

Respondent, Zenford Antonio Mitchell, hereby states that he consents to two years' probation with the same conditions imposed by the Court and a suspension from the practice of law for a period of one year and one day, stayed in its entirety, as jointly recommended by Petitioner, Office of Disciplinary Counsel and Respondent in the Joint Petition In Support Of Discipline On Consent and further states that:

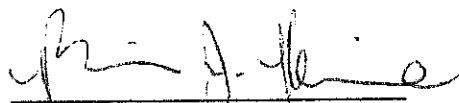
1. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress; and he is fully aware of the implications of submitting the consent; and, he has consulted with counsel in connection with the decision to consent to the imposition of discipline;
2. He is aware that there is a pending proceeding involving allegations that he has been guilty of misconduct as set forth in the Joint Petition;

3. He acknowledges that the material facts set forth in the Joint Petition are true; and,

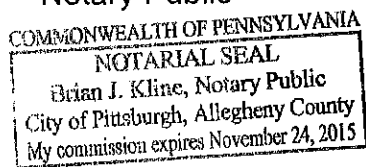
4. He consents because he knows that if the charges pending against him continue to be prosecuted in the pending proceeding, he could not successfully defend against them.


Zenford Antonio Mitchell
Respondent

Sworn to and subscribed
before me this 31st
day of March, 2015.



Notary Public



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

IN RE: DISCIPLINE OF ZENFORD A. MITCHELL)
ATTORNEY PA I.D. NO. 61972)
A MEMBER OF THE BAR OF THE)
UNITED STATES DISTRICT COURT FOR) MISC. NO. 14-246
THE WESTERN DISTRICT OF)
PENNSYLVANIA)

ORDER OF COURT

AND NOW, to-wit, this 27th day of June 2014, the Court being advised that ZENFORD A. MITCHELL, a Member of the Bar of this Court since December 11, 1991 was convicted on a Two Count charges of filing a False Tax Returns 26 USC 7206 calendar year 2006 and USC 7206 calendar year 2007 by the Honorable Donetta W. Ambrose, of this Court on June 25, 2014.

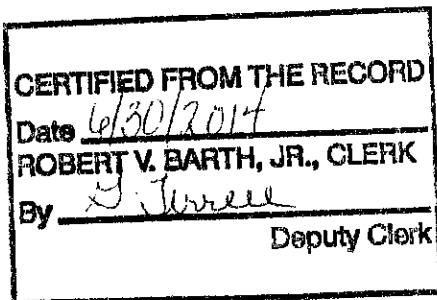
IT FURTHER APPEARING that such violation requires immediate suspension under LCvR 83.3 C.1 of this Court.

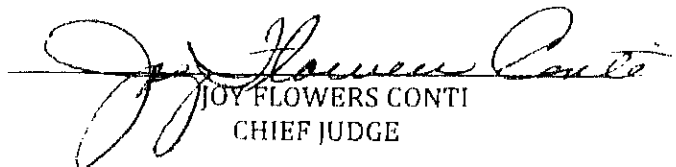
THEREFORE IT IS ORDERED that ZENFORD A. MITCHELL is hereby suspended forthwith from the practice of law before the United States District Court for the Western District of Pennsylvania, pending final determination of the discipline to be imposed by this Court.

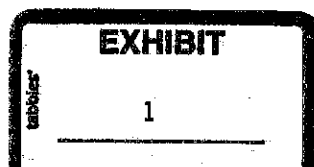
IT FURTHER ORDERED that the matter be referred to the Disciplinary Board of the Pennsylvania Supreme Court for Report and Recommendation on the final discipline to be imposed by this Court.

The clerk is directed to give notice of the entry of this Order to all parties of interest.

FOR THE COURT:




JOY FLOWERS CONTI
CHIEF JUDGE



Zenford A. Mitchell

Attorney at Law

P. O. BOX 99937

Pittsburgh, PA 15233

Phone: 1-(412) 243-5656

Fax: 1-(412) 243-5657

FAX TRANSMISSION

TO: William R. Friedman

FAX: 412-565-7620

FROM: Zenford A. Mitchell

RE: see attached

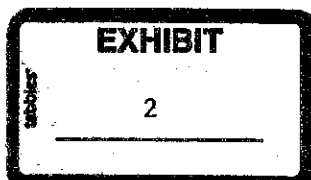
DATE: 06-26-14

NO. OF PAGES: 9

NOTES: As per our conversation
earlier today, I am voluntarily
sending you the attached.
Any questions, please call.

Thanks,
ZM

If you have any questions, experience any difficulty in receiving this transmission, or believe that you have received this fax in error, please call the sender listed above immediately. Thank you for your cooperation.



Zenford A. Mitchell

Attorney at Law

P. O. BOX 99937

Pittsburgh, PA 15233

Phone: 1-(412) 243-5656

Fax: 1-(412) 243-5657

June 26, 2014

William R. Friedman
Disciplinary Counsel
Frick Building, Suite 1300
437 Grant Street
Pittsburgh, PA 15219-6002

RE: U.S. v. Mitchell
CR 13-104

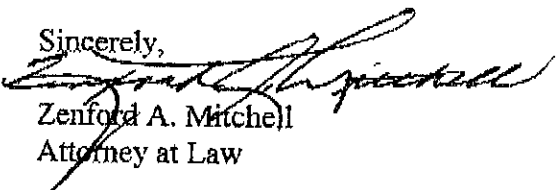
Dear Mr. Friedman:

As per our conversation today, I am faxing you a copy of the documentation regarding my Federal Tax Matter before Judge Ambrose. I am sending you a copy of the Indictment, Change of Plea, Sentencing Report and a copy of the letter I submitted to the Court prior to sentencing. I was represented by the Assistant Federal Public Defender, Akin Adepoju, Esquire. See attached. I am presently waiting for a copy of the Judgment Order issued by Judge Ambrose on 06/25/14.

As indicated to you by phone today, I have several questions as to how to voluntarily surrender my license for suspension, for a negotiable time period; my title going forward from this incident; letter head; advertising; business cards; clients; etc.,. Please advise.

If you have any questions, please call.

Sincerely,


Zenford A. Mitchell

Attorney at Law

Case 2:13-cr-00104-DWA Document 40 Filed 06/25/14 Page 1 of 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

U.S.A.)	
)	
Plaintiff,)	
)	
vs.)	No. 13-104
)	
ZENFORD A. MITCHELL)	
Defendant.)	

TYPE OF CONFERENCE: Sentencing

Before Judge Ambrose

<u>James R. Wilson</u>	<u>Akin Adepoju</u>
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<u>Appear for Plaintiff</u>	<u>Appear for Defendant</u>
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Hearing begun: <u>6/25/14 - 10:55 AM</u>	Reporter: <u>Richard Ford</u>
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Hearing concluded: <u>6/25/14 - 11:46 AM</u>	Clerk: <u>Sherry Halfhill / Heidi Grogan</u> <u>Anne Kurzweg / Susan Schupansky</u>
----------------------------------------------	----------------------------------------------------------------------------------------

- Defendant sworn and testified
- Judge received letter from Defendant this morning – attached as Exhibit A
- Defendant's witness is his wife – her testimony proffered by Def.'s attorney; Government did not cross-examine
- Judge asked questions about Defendant's expenses/liabilities/payments to IRS
- Argument from both parties
- Defendant sentenced and given appellate rights
- Judgment Order to Follow

Zenford A. Mitchell

Attorney at Law

P. O. BOX 99937

Pittsburgh, PA 15233

Phone: 1-(412) 243-5656

Fax: 1-(412) 243-5657

June 23, 2014

The Honorable Donetta J. Ambrose
United States District Court For The Western District of PA
U.S. Post Office & Courthouse
700 Grant Street
Pittsburgh, PA 15219

Dear Judge Ambrose:

I want to apologize to you, for you having to take time out your schedule, to deal with me. I also want to apologize to the U.S. Attorney's Office and the Internal Revenue Service, for having to extend their efforts and time, to deal with me as well. I have always regarded the highest respect for this Court and all agencies involved. As an attorney, I know that I have the obligation to be professional and accurate at all times, irregardless of being human. I never wanted to embarrass the profession or the clients I represent, at anytime.

I fell behind in my paperwork and the filing of my tax returns, due to extreme circumstances beyond my control over an extended period of time. Initially, I became overwhelmed with my mother's illnesses and medical condition. Her issues were complicated and required my personal involvement daily, for years, up to her death. I was fully committed to her. She needed me. I had to be, and I wanted to be, everything she needed in her time of need. I had to do it for her because of what she had done for me. If it were not for GOD and my mother, Joan, I would not be who I am today. She did for me and loved me enough, to give me the best chance to have a life and become an attorney, and be the best I can be. I am her legacy. I am proud of that. It means something to me. I do not want this incident to blemish her work. She loved me and I loved her so much. I would never do anything to embarrass, shame or tarnish, all the effort and work she sacrificed for me. I am submitting this letter through my legal counsel. I have given him a picture to submit to you with this letter. It is a picture of my mother's grave site. For years, I have carried this picture, and a picture of me and mother, with me, everyday, everywhere I go. This reminds me daily of my commitment and what I stand for as a man everyday.

As a result of all the circumstance I had to deal with as described by my legal counsel, I lost my focus, and I made an error in the preparation of my taxes. This entire matter is a misunderstanding of me, my character, who I am, what I stand for, and what I believe. This is not me. I do not live my life like that. Upon realizing what happened, I took an aggressive effort to gather, obtain, provide, correct and cooperate, to the fullest extent with Mr. McKenzie, at all times. I have taken full responsibility for my error since my first involvement with Mr. McKenzie. I gave statements, met with the IRS on several occasions, and provided documents. Yet, I find myself here. Whatever I owe, I want the ability and chance, to work and pay, all I owe, dime for dime, in full. I do not want anything that is not mine. My intention has been to do what is right and be responsible for all that I do. I told Mr. McKenzie the same from the very beginnaing. This matter has hurt me

Def. - Exhibit A

Case 2:13-cr-00104-DWA Document 40-1 Filed 06/25/14 Page 2 of 2

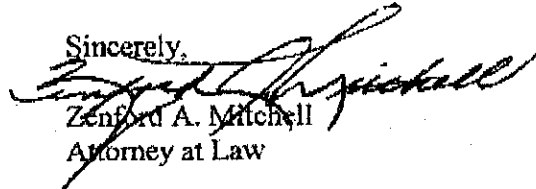
The Honorable Donetta J. Ambrose
United States District Court For The Western District of PA
June 23, 2014
Page 2

and my family to the core. I never thought that I could ever hurt so bad for so long.

I wish this matter could have been resolved as a Civil Matter. I never deliberately intended to do anything wrong or offend any of the agencies involved. I need my license to pay all I owe, and put my life back together again quickly and efficiently. My wife, church, and clients, depend on me and need me. I do not want my life forever marked or defined by this. I want to have the ability to continue to pursue my career as an attorney, uninterrupted. I worked and dedicated my life to achieve and not be limited by any means. I do not want anyone to give me anything. I want to work and earn my way in life, as I have always done. I will not rest until I put order back in all my finances and my life.

Nothing is more important to me than GOD and being what GOD has allowed me to be, and that is, an attorney. By going through this legal process, I have grown to appreciate even more of what I have and its blessings. I realized that I cannot be good to any of my clients, without first taking care of myself. I value my commitments to my professional responsibilities, to be on top of all my personal paperwork, at all times. If given the chance, I will be forever grateful and will never forget it. I hold no malice toward anyone. I pray that GOD blesses everyone involved. I thank you.

Sincerely,



Zenford A. Mitchell
Attorney at Law

Case 2:13-cr-00104-DWA Document 31 Filed 03/10/14 Page 1 of 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

vs.

ZENFORD A. MITCHELL,

Defendant.

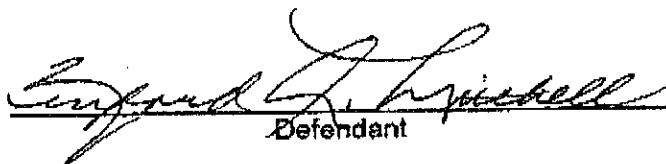
)
)
)
)
)
)


Criminal No. 13-104

AMBROSE, Sr. U.S. District Judge

CHANGE OF PLEA

AND NOW, the Defendant in the above-captioned case hereby
withdraws his plea of not guilty entered May 2, 2013, and now pleads
guilty to Counts 1 and 2 of the Indictment in open court
this March 10, 2014.


Defendant


Attorney for Defendant

Case 2:13-cr-00104-DWA Document 30 Filed 03/10/14 Page 1 of 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	
)	
vs.)	Criminal No. 13-104
)	
ZENFORD A. MITCHELL)	
Defendant.)	

HEARING ON CHANGE OF PLEA

Before Judge Ambrose

James Wilson Nelson Cohen	Akin Adepoju
--------------------------------------	--------------

Appear for USA	Appear for Defendant
----------------	----------------------

Hearing begun: 3/10/2014 - 10:38 AM	Stenographer: Deborah Rowe
-------------------------------------	----------------------------

Hearing concluded: 3/10/2014 - 11:09 AM	Clerk: Heidi Grogan
-----------------------------------------	---------------------

Defendant sworn.
 Defendant found competent.
 Defendant knowing and voluntarily pleads guilty to Counts 1+2 of the Indictment.
 Sentencing Order to Follow.

Δ permitted to remain on bond w/ Gov't consent

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	Criminal No. 13-104
v.)	
)	(26 U.S.C. § 7206(1))
ZENFORD A. MITCHELL)	

INDICTMENT

COUNT ONE

The Grand Jury charges:

That on or about the 14TH day of April, 2008, in the Western District of Pennsylvania, the defendant, ZENFORD A. MITCHELL, a resident of Pittsburgh, Pennsylvania, did willfully make and subscribe a joint U.S. Individual Income Tax Return, for the calendar year 2006, which was verified by a written declaration that it was made under the penalties of perjury, and which he did not believe to be true and correct as to every material matter. That income tax return, which was filed with the Collection Division, Internal Revenue Service, Monroeville, Pennsylvania, reported as income to ZENFORD A. MITCHELL (separate and apart from the reporting of his spouse's wages) only business income of \$25,164, whereas, as he then and there well knew and believed, he received substantial additional income from various sources including from his own Individual Retirement Account (over \$160,000 unreported), from the sale of stock (over \$17,000 unreported) and substantial additional unreported income from his law practice (over \$29,000 unreported), all in addition to the amount which he stated on the return.

In violation of Title 26, United States Code, Section 7206(1).

COUNT TWO

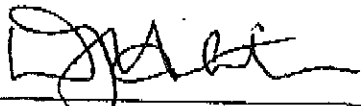
The Grand Jury further charges:

That on or about the 14TH day of April, 2008, in the Western District of Pennsylvania, the defendant, ZENFORD A. MITCHELL, a resident of Pittsburgh, Pennsylvania, did willfully make and subscribe a joint U.S. Individual Income Tax Return, for the calendar year 2007, which was verified by a written declaration that it was made under the penalties of perjury, and which he did not believe to be true and correct as to every material matter. That income tax return, which was filed with the Collection Division, Internal Revenue Service, Monroeville, Pennsylvania, reported as income to ZENFORD A. MITCHELL (separate and apart from the reporting of his spouse's wages) only business income of \$23,912, whereas, as he then and there well knew and believed, he received substantial additional income from various additional sources including from his own Individual Retirement Account (over \$2000 unreported), from the Individual Retirement Account of his spouse (over \$30,000 unreported), and substantial additional unreported income from his law practice (over \$87,000 unreported) in addition to the amount which he stated in the return.

In violation of Title 26, United States Code, Section 7206(1).

A True Bill,

FOREPERSON



DAVID J. HICKTON
United States Attorney
PA ID No. 34524

Zenford A. Mitchell

Attorney at Law

P. O. BOX 99937

Pittsburgh, PA 15233

Phone: 1-(412) 243-5656

Fax: 1-(412) 243-5657

FAX TRANSMISSION

TO: William R. Friedman

FAX: 412-565-7620

FROM: Mitchell

RE: see attached

DATE: 06-27-14

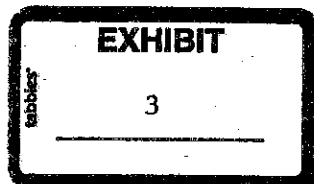
NO. OF PAGES: 9

NOTES: I am sending you a copy of the Judgment Order and its satisfaction, received in today's mail.

Any questions, please call.

Thanks.
[Signature]

If you have any questions, experience any difficulty in receiving this transmission, or believe that you have received this fax in error, please call the sender listed above immediately. Thank you for your cooperation.



Zenford A. Mitchell

Attorney at Law

P. O. BOX 99937

Pittsburgh, PA 15233

Phone: 1-(412) 243-5656

Fax: 1-(412) 243-5657

June 27, 2014

William R. Friedman
Disciplinary Counsel
Frick Building, Suite 1300
437 Grant Street
Pittsburgh, PA 15219-6002


RE: U.S. v. Mitchell
CR 13-104

Dear Mr. Friedman:

I am faxing you a copy of the Judgement Order issued by Judge Ambrose on 06/25/14, and its Satisfaction, received today from my legal counsel, Assistant Federal Public Defender, Akin Adepoju, Esquire. Please see attached.

If you have any questions, please call.

Sincerely,



Zenford A. Mitchell
Attorney at Law

Case 2:13-cr-00104-DWA Document 42 Filed 06/26/14 Page 1 of 1

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

United States of America

vs.

ZENFORD MITCHELL

)
) Criminal Number 13-104-001
)
)

The above named defendant satisfied the judgment of **JUNE 25, 2014**
by paying on **JUNE 02, 2014** the full balance due on court ordered:

 X ASSESSMENT

 FINE

 COSTS

 OTHER

The Court's docket and judgment index should be marked to reflect satisfaction of the judgment.

[Signature]
Deputy Clerk

06-26-2014
Date

Case 2:13-cr-00104-DWA Document 41 Filed 06/25/14 Page 1 of 6

AO 245B

(Rev. 09/11) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT

Western District of Pennsylvania

UNITED STATES OF AMERICA

v.

Zenford A. Mitchell

JUDGMENT IN A CRIMINAL CASE

Case Number: 13-104

USM Number:

34130068

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) 1-2 of the indictment

pleaded nolo contendere to count(s) _____
which was accepted by the court.

was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
26 U.S.C. 7206(1)	Filing a False Tax Return on or about April 14, 2008 (Calendar year 2006) See attached for Count 2.	4/18/2008	1

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) _____ is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

6/25/2014
Date of Imposition of Judgment

Donetta W. Ambrose
Signature of Judge

Donetta W. Ambrose, Sr. U.S. District Judge
Name and Title of Judge

6/25/14
Date

Case 2:13-cr-00104-DWA Document 41 Filed 06/25/14 Page 2 of 6

AO 245B (Rev. 09/11) Judgment in a Criminal Case
Sheet 1A

Judgment—Page 2 of 6

DEFENDANT: Zenford A. Mitchell
CASE NUMBER: 13-104

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
26 U.S.C. 7206(1)	Filing a False Tax Return on or about April 14, 2008 (Calendar year 2007)	4/18/2008	2

DEFENDANT: Zenford A. Mitchell
CASE NUMBER: 13-104

PROBATION

The defendant is hereby sentenced to probation for a term of:
4 years

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of probation that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: Zenford A. Mitchell
CASE NUMBER: 13-104

ADDITIONAL PROBATION TERMS

1. The defendant shall not illegally possess a controlled substance.
2. The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
3. The defendant shall be placed on home detention for a period of 8 months, to commence at the time determined by the probation officer. During this time, the defendant shall remain at his place of residence except for employment and other activities approved in advance by the probation officer. At the direction of the probation officer, the defendant shall wear an electronic device and shall observe the rules specified by the Probation Office.
4. The defendant is to pay the cost of the electronic monitoring portion of this sentence not to exceed the daily contractual rate. Payment for the electronic monitoring shall be made in accordance with the probation officer's direction. Changes to the established rate can be made by the probation officer subject to supervisory approval.
5. The defendant shall timely file local, state, and federal income tax returns, and cooperate with the Internal Revenue Service in the collection of any past due taxes, including penalties and interest.
6. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
7. The defendant shall provide the probation officer with access to any requested financial information.
8. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
9. The defendant shall participate in a mental health assessment and/or treatment program specializing in gambling addiction as approved by the probation officer, until such time as the defendant is released from the program by the Court. The defendant shall be required to contribute to the costs of services in an amount determined by the Probation Office. These costs shall not exceed the actual cost of the service. The probation Office is authorized to release the defendant's presentence report to the treatment provider if so requested.
10. The periodic drug testing mandated by the Violent Crime Control and Law Enforcement Act of 1994 is hereby suspended. The Court finds that this offense is not drug related, and this defendant has no current or past history of substance abuse.

DEFENDANT: Zenford A. Mitchell
CASE NUMBER: 13-104

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 200.00	\$	\$

The determination of restitution is deferred until _____ . An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	--------------------	----------------------------	-------------------------------

TOTALS	\$ _____	0.00	\$ _____	0.00
---------------	----------	------	----------	------

Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: Zenford A. Mitchell
CASE NUMBER: 13-104

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payment of \$ 200.00 due immediately, balance due
 - not later than _____, or
 - in accordance C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

The defendant shall pay the cost of prosecution.

The defendant shall pay the following court cost(s):

The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

Zenford A. Mitchell

P. O. BOX 99937
Pittsburgh, PA 15233
Phone: 1-(412) 243-5656
Fax: 1-(412) 243-5657

FAX TRANSMISSION

TO: Mr. William Greenman

FAX: 412 - 565 - 7620

FROM: Ritchie

RE: see below & attached

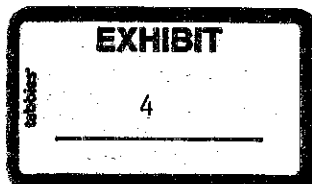
DATE: 03-03-15

NO. OF PAGES: 2

NOTES: As per our conversation
on 02/26/15, I am sending
you updated status info
from Mr. Quirion.
Any questions, please call.

Thank you
[Signature]

If you have any questions, experience any difficulty in receiving this transmission, or believe that you have received this fax in error, please call the sender listed above immediately. Thank you for your cooperation.



Re: Statement of Current Status & Compliance

From: Zenford A. Mitchell <znzam@aol.com>
To: Benjamin Orrison <Benjamin_Orrison@pawp.uscourts.gov>
Subject: Re: Statement of Current Status & Compliance
Date: Mon, Mar 2, 2015 5:30 pm

Ben:
Thanks. - ZM.

-----Original Message-----
From: Benjamin Orrison <Benjamin_Orrison@pawp.uscourts.gov>
To: Zenford A. Mitchell <znzam@aol.com>
Sent: Thu, Feb 26, 2015 5:45 pm
Subject: Re: Statement of Current Status & Compliance

Sorry for delay. Meeting ended a bit ago and I'm getting caught up.

Zenford,

You are in compliance with the conditions of supervision as of the writing of this email. This includes the successful completion of the electronic monitoring portion of your sentence. I will see you in March prior to the case being transferred.
Thanks.

Benjamin Orrison
U.S. Probation Officer
700 Grant Street, Suite 3330
Pittsburgh, PA 15219
Direct Office Line: 412-482-5024
Cell Phone - 412-216-3747
Fax: 412-395-4864

From: "Zenford A. Mitchell" <znzam@aol.com>
To: benjamin.orrison@pawp.uscourts.gov
Date: 02/25/2015 10:39 PM
Subject: Statement of Current Status & Compliance

Ben:
It was a pleasure to speak with you on 02/25/15. As per our conversation on 02/25/15, could you please send me a brief response to this email confirming my current status and compliance. Thanks. - ZM