

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION**

In re: Sadie Pearl Crosby, Debtor	No. 2:09-bk-74577 Ch. 7
In re: Bobby R. Davis and Margorie Stilwell, Debtors	No. 2:09-bk-75015 Ch. 7
In re: Jeremy Keith Hill, Debtor	No. 2:09-bk-75135 Ch. 7
In re: Ryan Scott Clark and Rebecca Clark, Debtors	No. 2:09-bk-76148 Ch. 7
In re: Jason Brock Sumpter, Debtor	No. 2:09-bk-72774 Ch. 7
In re: Michael L. Oliver and Arlene R. Oliver, Debtors	No. 2:09-bk-72390 Ch. 7
In re: Cheryl Parrish and Jerry Parrish, Debtors	No. 2:09-bk-73036 Ch. 7
In re: Ruby Cordova and Johnny Cordova, Debtors	No. 2:09-bk-74728 Ch. 7
In re: Thomas Speraw and Mary Speraw, Debtors	No. 2:09-bk-74953 Ch. 7
In re: Timothy Crossno and Priscillo Crossno, Debtors	No. 2:09-bk-75109 Ch. 7
In re: Elida H. Temal, Debtor	No. 2:09-bk-74087 Ch. 7

**ORDER IMPOSING SANCTIONS
ON DEBTORS' COUNSEL**

Before the Court is this Court's Order, dated January 28, 2010 [January 28 Order], and entered in each of the above-captioned cases, ordering John M. Robinson, Jr., debtors'

EOD 3/31/2010
by S Miller

counsel, to appear personally and show cause (1) why he should not be sanctioned, suspended, or disbarred from practice pursuant to Local Rule 2090-2; (2) why some or all of the attorney fees he received in the above-captioned cases should not be disgorged pursuant to 11 U.S.C. § 329 and Federal Rule of Bankruptcy Procedure 2017; and (3) why he has not violated Federal Rule of Bankruptcy Procedure 9011(b) in the *Crosby*, *Davis and Stilwell*, *Hill*, and *Clark* cases based on his conduct as described in (i) the January 28 Order; (ii) the United States Trustee's Motions to Examine Debtors' Transactions with Debtors' Attorney Pursuant to 11 U.S.C. § 329 and Federal Rule of Bankruptcy Procedure 2017 [collectively, UST Motions, or, specifically, U.S. Trustee Motion] filed in all but one of the above captioned cases; (iii) Mr. Robinson's responses to the U.S. Trustee's motions filed in each of the above-captioned cases¹ [collectively, Robinson's Answers, or, specifically Answer]; and, (iv) certain other documents referenced within the January 28 Order. For the reasons stated below, this Court orders that Mr. Robinson disgorge certain attorney fees paid to Mr. Robinson and suspends Mr. Robinson from practicing law in the United States Bankruptcy Court for the Eastern and Western Districts of Arkansas in accordance with Local Rule 2090-2 for a period of not less than one year from the date of this Order Imposing Sanctions, at the conclusion of which Mr. Robinson may apply for reinstatement or remain suspended indefinitely.

Background

The UST Motions and Robinson's Answers were initially set for hearing on January 20, 2010; however, Mr. Robinson did not appear at that hearing. Attorney Dale Arnold appeared on Mr. Robinson's behalf and requested that the matters that were set for hearing be continued because Mr. Robinson was ill. Mr. Arnold referred to a doctor's report Mr. Robinson had previously submitted to the Court by email, dated January 17,

¹ The U.S. Trustee did not file a motion to examine in *Temal*; however, Mr. Robinson filed a response in the *Temal* case identical to the responses he filed in the other cases.

2010, and written by Dr. Janet Guyer. The report stated:

[Robinson] is a patient of mine. He has rheumatoid arthritis which causes him significant pain. For this he is on pain medicines. Those cause him a minimal amount of dizziness and fatigue, and they effect [sic] his short term memory. Because of this, he is unable to represent himself or others in a courtroom. I suspect this will be a permanent issue so it will be necessary for him to have a proxy making his court appearances for him.

The Court granted the continuance and advised Mr. Arnold that these matters could not be continued indefinitely; that they would be heard on February 16, 2010; and that this Court would be issuing an order to show cause why sanctions should not be imposed on Mr. Robinson. Subsequently, the Court entered the January 28 Order and provided notice to Mr. Robinson and the debtors in the above-captioned cases, among others, that a hearing on the January 28 Order was set for February 16, 2010, at 10:00 a.m. in the United States Bankruptcy Court, Fort Smith, Arkansas [February 16 hearing].²

In the January 28 Order, the Court recited the sanctions the Court was considering relating to the above cases, and stated specifically that the Court would consider whether Mr. Robinson violated Federal Rule of Bankruptcy Procedure 9011, possible sanctions for suspension or disbarment pursuant to 11 U.S.C. § 105 and Local Rule 2090-2, and disgorgement of attorney fees pursuant to 11 U.S.C. § 329 and Federal Rule of Bankruptcy Procedure 2017. The January 28 Order detailed allegations made in the UST Motions, including, but not limited to, the allegations that (1) Mr. Robinson did not provide the debtors with copies of certain notice requirements; (2) Mr. Robinson filed petitions reflecting the debtors had signed their petitions when in fact they had not authorized the electronic signatures that appeared on their petitions; (3) the debtors were not provided with copies of their petition, schedules, and statements; (4) the debtors did not review their petitions, schedules, and statements prior to the filing of their petitions

² The Notice of Electronic Filing reflects that electronic notice was sent to Mr. Robinson.

despite the appearance of their electronic signatures on the documents; (5) in the *Clark* case, the debtors requested a refund of the fees they paid to Mr. Robinson to file their bankruptcy proceeding before their petitions had been filed and specifically requested that Mr. Robinson not file a bankruptcy for them; subsequently, Mr. Robinson filed their bankruptcy petition contrary to the debtors' request and has made no refund; and, (6) based on the Court's docket in the above-captioned cases and the UST Motions, Mr. Robinson failed to file certain schedules or statements, and to submit orders timely which resulted in dismissal of some of the debtors' cases, the failure of the debtors to obtain a discharge, or the failure to properly reopen cases, and generally failed to represent his clients competently.

Bases for Sanctions

There are three bases for sanctions on which the Court relies. The first basis is the deficiencies reflected in the Court's docket entries and in the documents filed in each of the above-captioned cases. The second basis is the testimony and evidence presented at the February 16 hearing. The third basis is Mr. Robinson's medical information submitted by him to the Court. Each basis will be addressed in turn.

Deficiencies Reflected on the Court's Docket

In the *Oliver* case, the Court's docket reflects that the debtors' case was closed on August 28, 2009, before the debtors received a discharge because their financial management course certificates were not filed. On October 16, 2009, Mr. Robinson filed a motion to reopen that was later granted at a hearing; however, Mr. Robinson failed to submit an order timely and on November 25, 2009, the Court issued an Order to Submit Order to Mr. Robinson. Robinson did not submit the order. On December 11, 2009, the Court issued a Show Cause Order requiring Mr. Robinson to appear and explain why sanctions should not be imposed for failure to comply with the Court's order to submit order. Mr. Robinson did not appear. On December 17, 2009, the case was reopened upon the U.S.

Trustee's motion and order submitted to the Court.³

In the *Crossno* case, the Court's docket reflects that on October 13, 2009, the Court entered its order of deficiencies that stated certain statements and schedules were due. The statements and schedules were not timely filed and the case was dismissed on October 28, 2009. On November 6, 2009, Mr. Robinson filed a motion to reinstate to which there were no objections. However, Mr. Robinson again failed to submit an order to the Court, and the Court issued another order to submit order on December 4, 2009. Because the U.S. Trustee filed a response to the motion on December 15, 2009, and a hearing was not held on the motion and response, the case remains dismissed. However, because this Court is convinced that the deficiencies were not the fault of the Crossno's individually, by separate Order the Court will set aside the order dismissing the *Crossno* case.

In the *Sumpter* case, the Court's docket reflects that the case was closed on September 28, 2009, before the debtor received a discharge because the financial management course certificate was not filed. On October 20, 2009, Mr. Robinson filed a motion to reopen. The Court issued a memorandum of document deficiency because the motion and notice to reopen were deficient. The motion to reopen was ultimately granted. However, Mr. Robinson failed to submit an order timely and on November 27, 2009, the Court issued an Order to Submit Order. Mr. Robinson submitted the proposed order, and the case was reopened on December 7, 2009.

In the *Parrish* case, the Court's docket reflects that the debtors' case was closed on October 16, 2009, before the debtors received a discharge because their financial management course certificates were not filed. On November 20, 2009, Mr. Robinson filed a motion to reopen . No objections to the motion were filed. However, the debtors'

³ The *Oliver* case is discussed *infra*, in the context of the February 16 hearing.

case was reopened upon the U.S. Trustee's motion and order submitted to the Court.

In the *Cordova* case, on September 21, 2009, the Court entered an order of deficiencies that stated certain schedules and statements were due in the case. The statements were not timely filed, and the case was dismissed on October 13, 2009. On November 2, 2009, Mr. Robinson filed a motion to reinstate, but did not sign the motion. On November 3, 2009, the Court issued a memorandum of document deficiency on Mr. Robinson. On November 16, 2009, Mr. Robinson filed an amended motion. The U.S. Trustee filed a combined response and U.S. Trustee Motion on December 15, 2009. The motion, response, and U.S. Trustee motion were heard at the February 16 hearing, at which time the Court set aside the order of dismissal.

In the *Speraw* case, the Court entered an order dismissing the case on October 19, 2009, for failure to timely file certain schedules and statements. No motion to set aside the dismissal order was filed, and the Court closed the debtors' case on October 30, 2009. On November 4, 2009, Mr. Robinson filed a motion to reopen but did not sign the motion, and the next day, the Court issued a memorandum of document deficiencies. On November 6, 2009, Mr. Robinson amended his motion, but again did not sign the pleading. That same day, he filed a third motion to reopen. No objections were filed, but Mr. Robinson did not submit an order. On December 17, 2010, the debtors' case was reopened upon the U.S. Trustee's motion and order submitted to the Court.

The Court notes that the above-described deficiencies are not the only deficiencies of record. However, they are typical of the types of errors found in many, if not all, of the cases at issue in this Order. Further, these deficiencies in the aggregate, plus the testimony and documents described below, are sufficient to form the bases of the sanctions ordered against Mr. Robinson in this Order.

The February 16, 2010, Hearing

At the February 16 hearing, the Assistant U.S. Trustee, Charles W. Tucker, appeared, and the following debtors appeared and testified: Sadie Pearl Crosby, Margorie Stilwell, Jeremy Keith Hill, Ryan Scott Clark, Arlene Renee Oliver, and Ruby Cordova. Chapter 7 trustees, Thomas E. Robertson, Jr. and R. Ray Fulmer, II, also appeared, and Thomas E. Robertson testified. John M. Robinson, Jr., did not personally appear, and no one appeared on his behalf. Mr. Robinson did not file a motion to continue or any other pleadings or documents relating to the matters set at February 16 hearing, other than Robinson's Answers. During the hearing, the Court took judicial notice of the complete files and docket entries in all of the above-captioned cases and made the January 28 Order a part of the record.

Sadie Pearl Crosby, Case No. 2:09-bk-74577

Sadie Pearl Crosby testified that she only spoke to Mr. Robinson one time, which was in May 2009, when she paid Mr. Robinson an attorney fee of \$750.00 plus a filing fee of \$299.00, to file her bankruptcy petition. Ms. Crosby testified that she talked with Mr. Robinson, he wrote down information, told her to pay his secretary, and said that "they" would get back with her. Ms. Crosby testified that she did not sign anything during the May meeting. Ms. Crosby testified that Mr. Robinson told her that her bankruptcy would be "taken care of" within three months at "the latest." Ms. Crosby's bankruptcy petition was filed September 13, 2009. While Ms. Crosby attended her § 341(a) meeting of creditors in November, Mr. Robinson did not appear. The docket reflects that the meeting was held and continued. Mr. Robinson did not appear at the meeting, and Ms. Crosby's disclosed at the meeting that she had not signed any "papers." After the meeting, Ms. Crosby testified that she went to Mr. Robinson's house and "signed papers." Ms. Crosby stated that the voluntary petition that was introduced into evidence at the February 16 hearing looked similar to the "papers" she signed at the meeting at Mr. Robinson's house.⁴ Ms. Crosby also testified that at the November meetings she asked

⁴ Mr. Robinson filed an amended petition and certain amended schedules in Ms. Crosby's case on December 8, 2009.

Mr. Robinson questions about the papers and noticed certain errors. While she was at Mr. Robinson's house in November, Mr. Robinson gave Ms. Crosby a promissory note, in which he promised to refund the \$750.00 in attorney fees to Ms. Crosby because "there was so much misunderstanding." Ms. Crosby stated that Mr. Robinson did, in fact, refund the \$750.00 to Ms. Crosby in late December. Mr. Robinson did not appear at her § 341(a) meeting.

Bobby R. Davis and Margorie Stilwell, Case No. 2:09-bk-75015

Margorie Stilwell testified that she met with Mr. Robinson and paid him \$950.00, which amount included the bankruptcy filing fee, in November 2008. She stated that Mr. Robinson mentioned her and Mr. Davis's joint bankruptcy petition would be filed within thirty days. Ms. Stilwell testified that at the November meeting that she provided Mr. Robinson with documents and information, but she could not remember if she signed any documents at that time. Ms. Stilwell testified that after that meeting, when she discovered their petition had not been filed, she tried to contact Mr. Robinson several times in the following months without success. Ms. Stilwell testified to a frustrating series of fruitless contacts with Mr. Robinson and his office concerning what became a ten-month delay in filing of the bankruptcy petition and to how certain creditors continued to threaten to "put a lien" on her property, file lawsuits against her, and that one creditor filed "a lawsuit" against her and Mr. Davis. In fact, Mr. Robinson did not file the Davis/Stilwell petition; Ms. Stilwell hired a second bankruptcy attorney, J.F. Atkinson to file the petition. Ms. Stilwell testified that, at some point, Mr. Robinson wrote Mr. Atkinson a promissory note because "he knew that he had taken the case over"; however, Mr. Robinson subsequently rescinded the note. Mr. Atkinson filed the debtors' bankruptcy petition on October 4, 2009, nearly a year after Mr. Robinson was paid to file it. The delay was not the debtors' fault. The debtor never received any of her money back, nor has Mr. Atkinson been paid.

Jeremy Keith Hill, Case No. 2:09-bk-75315

Jeremy Hill first visited Mr. Robinson's law office in February 2009. Mr. Hill met with

Mr. Robinson's secretary, and they exchanged information. The secretary said that Mr. Hill would meet with Mr. Robinson "within the next week." To date, Mr. Hill has never met Mr. Robinson in person.⁵ Mr. Hill paid a \$1050.00 fee to Mr. Robinson in full by early March. He also completed his credit counseling on April 24, 2009; however, because Mr. Robinson did not file Mr. Hill's bankruptcy petition until October 12, 2009, he had to take the counseling course a second time.⁶ The delay in filing was not the debtor's fault. Mr. Hill also testified that the first time he saw his bankruptcy petition was at the § 341(a) meeting of creditors and that he did not sign the bankruptcy petition that was filed October 12, 2009. Sometime in November, Mr. Hill went to Mr. Robinson's office to "sign papers," presumably his petition and schedules.⁷ Mr. Hill met with Mr. Robinson's secretary, who tried to get Mr. Robinson on the phone but could not because Mr. Robinson was "heavily medicated." Also, Mr. Robinson did not appear at Mr. Hill's § 341(a) meeting.

Ryan Scott and Rebecca Clark, Case No. 2:09-bk-76148

Ryan Clark testified that Mr. Robinson filed a joint bankruptcy petition on behalf of him and his spouse on December 4, 2009. However, neither he or his spouse authorized Mr. Robinson to file this petition. Mr. Clark stated that he visited Mr. Robinson's office on June 19, 2009, and that he paid Mr. Robinson \$1050.00 to file a bankruptcy petition on their behalf. However, Mr. Robinson failed to file their petition timely and failed to return the Clarks' phone calls made in an effort to get Mr. Robinson to file their petition. On December 3, 2009, Mr. Clark called Mr. Robinson's office and informed "them" over the phone that he wanted a refund and that he and his spouse had decided not to file a bankruptcy petition. Later that day, the Clarks went to Mr. Robinson's office and told

⁵ Mr. Hill spoke to Mr. Robinson on the telephone in July 2009 when Mr. Hill was "just getting aggravated."

⁶ Mr. Hill testified that he only paid the credit counseling fee once.

⁷ Certain amended schedules and statements were filed in Mr. Hill's case December 9 and December 11, 2009.

Mr. Robinson's secretary that they did not want to file a bankruptcy petition and that they wanted a refund. Mr. Robinson was not at the office. The Clarks did not get a refund. In spite of their requests, Mr. Robinson filed a joint, bankruptcy petition on the Clarks' behalf on December 4, 2009. While the petition bore the debtors' electronic signatures, Mr. Clark testified that these signatures were not authorized and that Mr. Robinson did not inform the Clarks that he had filed the petition. Mr. Clark inadvertently discovered that their case had been filed when checking public records a few days later. According to Mr. Clark, his bankruptcy petition and schedules were filed with significant deficiencies--exemptions were claimed under Oklahoma when the debtors were residents of Arkansas, and the schedules reflected that the debtors had a seventeen year-old child that the debtors do not have. Mr. Clark also testified that he never got any papers or documents in the mail or otherwise from Mr. Robinson pursuant to the requirements of 11 U.S.C. § 527.

At the February 16 hearing, the U.S. Trustee made an oral motion on behalf of the Clarks to expunge their bankruptcy case. The motion which was generally granted, but with the qualification that no such order be entered until the entry of this Order Imposing Sanctions. The Court finds that in lieu of expunging the bankruptcy case, that the case is ordered to be kept under seal and otherwise stricken from the record as to all outside parties reflecting that no bankruptcy has been filed, but the bankruptcy case shall be subject to review with permission of this Court and by any other bodies that may take action incidental to these matters, if any, such as the U.S. Attorney or the Arkansas Committee on Professional Conduct. This Court will issue a separate order in the *Clark* case to this effect.

Michael L. and Arlene R. Oliver, Case No. 2:09-bk-72390

Arlene Oliver first contacted Mr. Robinson about her and her husband filing for bankruptcy in January 2009. The Olivers paid \$800.00 to Mr. Robinson to file her and her spouse's bankruptcy petition in February or March 2009. Mr. Robinson filed their

joint bankruptcy petition on May 14, 2009. At the hearing, Ms. Oliver testified that Mr. Robinson did not give her or her husband a copy of the petition and schedules, and cannot recall if they signed their petition and schedules. Ms. Oliver testified that the day before the February 16 hearing, she received a telephone call from an unidentified woman who told Ms. Oliver that she was helping Mr. Robinson and that Ms. Oliver did not need to come to Court on February 16, 2010, because “everything was going to be taken care of, that [Mr. Robinson] was ill and sick but he would have somebody [at the February 16 hearing] to stand in for him.” Ms. Oliver testified that she has appeared in “court” four times. The Olivers have not received their discharge because they have not filed their financial management certificate and Form 23 with the Court. Ms. Oliver testified that she and her husband took the financial management course in August or September 2009, and that it was her understanding that Mr. Robinson was going to file the required documents with the Court.

Ruby and Johnny Cordova, Case No. 2:09-bk-74728

Ruby Cordova visited Mr. Robinson’s office in February 2009. She did not meet Mr. Robinson, but met with his secretary. She gave the secretary information and paid \$800.00 down. Ms. Cordova paid an additional \$100.00 each of the next three months and she paid for her own credit counseling. Ms. Cordova completed her credit counseling in May 2009. Because her bankruptcy was not filed, Ms. Cordova visited Mr. Robinson’s office in August 2009 after she insisted that she meet with him at his office one afternoon. Ms. Cordova stated that “he finally found my file. Nothing had been done.” After much persistence by Ms. Cordova, Mr. Robinson filed the Cordova’s joint bankruptcy petition on September 21, 2009; however, Ms. Cordova testified that she did not recall signing any documents. She also testified that she never saw their petition and schedules, that she never got any letters or other documents from Mr. Robinson, and that Mr. Robinson did not appear at her § 341(a) meeting. Additionally, Ms. Cordova’s case was dismissed October 13, 2009, for failure to file certain schedules. At the February 16 hearing, the Court set aside the order dismissing the Cordova’s case. Ms. Cordova

testified that she also received a telephone call from an unidentified woman the day before the February 16 hearing. The woman said that Ms. Cordova did not need to come to the February 16 hearing and that they were going to take care of everything in about a week.

Testimony of Chapter 7 Trustee, Thomas E. Robertson

Thomas E. Robertson, Jr., a Chapter 7 Panel Trustee in the *Hill, Crossno, Davis/Stillwell, Oliver, Sumpter, Crosby, and Cordova* cases, testified that it had been “months” since the last time he saw Mr. Robinson appear at a § 341(a) meeting, although Mr. Robinson’s clients routinely appear. Thomas Robertson testified that at the last § 341(a) meetings held in Fort Smith within the preceding month, that Mr. Robinson had four clients appear but neither Mr. Robinson nor any other attorney appeared on their behalf. Also, many of Thomas Robertson’s § 341(a) meetings on cases with Mr. Robinson as attorney in recent months were held without the trustee being provided tax returns as required. Thomas Robertson testified that sometimes lawyers would voluntarily appear on behalf of Mr. Robinson at these meetings, apparently as a favor to Mr. Robinson, but these attorneys would not have the debtors’ files or any of the debtors’ information. Thomas Robertson testified that other attorneys are not appearing for Mr. Robinson anymore.

Mr. Robinson’s Medical Information

Based in part on the medical information submitted to the Court, the Court finds that Mr. Robinson is not currently capable of representing his clients competently. As corroborated by Dr. Guyer’s statement, Robinson has memory deficits, pain, and is unable to represent himself or others in a courtroom. Nonetheless, and even though the “medical report” of Dr. Guyer was dated January 7, 2010, Mr. Robinson filed a bankruptcy petition on behalf of another debtor on January 7, 2010, in Case No. 2:10-bk-70058. Accordingly, in spite of the fact that Mr. Robinson’s own doctor stated that Mr. Robinson is unable to represent himself or others in a courtroom and that this may be a permanent issue, Mr. Robinson continued to file bankruptcy petitions.

Findings of Fact and Conclusions of Law

The Court finds that the testimony presented at the February 16 hearing was unrebutted and credible, true and correct. Therefore, based on the testimony presented, the exhibits entered into evidence at the hearing, the Court's docket in each of the above-captioned cases, of which the Court took judicial notice at the February 16 hearing, and the medical information submitted to the Court in Robinson's Answers and certain other documents referenced above, the Court concludes that the allegations detailed in this Court's January 28 Order and the U.S. Trustee Motions are true and correct.⁸

Based upon these findings and Mr. Robinson's actions including, but not limited to, filing bankruptcy petitions with numerous inaccuracies, and deficiencies, which would or should have been known to him upon reasonable investigation; by representing to the Court and the public that the petitions were filed with signatures of various debtors, when, in fact, the debtors did not sign the petitions, schedules, and statements; by failing to file schedules and statements and submit orders timely and without deficiency; by failing to appear or make arrangements for others to appear on behalf of his clients; by failing to send papers and documents to his clients as required by § 527; by filing a bankruptcy petition in the *Clark* case when specifically requested not to do so; by failing to provide competent representation to any of the debtors who testified and neglecting to carry out his contracts of employment and legal matters entrusted to his care; by failing to keep his clients reasonably informed about the status of the matters in their bankruptcies; and, by failing to promptly comply with reasonable requests for information by the Trustee and his clients, the Court concludes the following:

1. John M. Robinson, Jr., has violated Federal Rule of Bankruptcy Procedure 9011 by

⁸ The Court notes that the U.S. Trustee cites to 11 U.S.C. § 342(b) in the U.S. Trustee's Motions in error; rather § 527 requires disclosures that must be made by the debtor's attorney.

his actions taken in the following cases:

Sadie Pearl Crosby, Case No. 2:09-bk-74577

Bobby R. Davis and Margorie Stilwell, Case No. 2:09-bk-75015

Jeremy Keith Hill, Case No. 2:09-bk-75135

Ryan Scott Clark and Rebecca Clark, Case No. 2:09-bk-76148

2. John M. Robinson, Jr., received attorney fees in the following cases, which the Court finds are excessive for services rendered. Mr. Robinson is ordered to disgorge the full amount of attorney fees, minus any filing fee, to the debtors in the following cases:

Bobby R. Davis and Margorie Stilwell, Case No. 2:09-bk-75015

Jeremy Keith Hill, Case No. 2:09-bk-75135

Michael L. Oliver and Arlene R. Oliver, Case No. 2:09-bk-72390

Timothy Crossno and Priscillo Crossno, Case No. 2:09-bk-75109

Further in *Ryan Scott Clark and Rebecca Clark*, Case No. 2:09-bk-76148, Mr. Robinson is ordered to disgorge \$1050.00 to the Clarks. Further, Mr. Robinson is ordered to reimburse the Clarks for expenses that the Clarks have incurred or will incur as a result of Mr. Robinson's filing their bankruptcy petition against their will and in their efforts to remove the bankruptcy filing from their credit reports.

3. Based upon the sum of the Court's findings in this Order, John M. Robinson, Jr., is suspended from the practice of law in the United States Bankruptcy Court for the Eastern and Western Districts of Arkansas for a period of not less than one year from the date of this Order Imposing Sanctions, at the conclusion of which Mr. Robinson may apply for reinstatement or remain suspended indefinitely.

4. Mr. Robinson is required to provide a copy of whatever files and documents he has in each of the above-captioned cases to the respective debtors, and, by mail or otherwise, provide the same to his former clients no later than thirty days after the entry of this order.

5. Mr. Robinson is further ordered to file a report with this Court within sixty (60) days

to advise on the status of his compliance with this order and, if there has not been compliance, to report specifically what has not been performed.

The foregoing sanctions and orders of disgorgement are entered pursuant to the Court's authority under Local Rule 2090-2, 11 U.S.C. § 105, Federal Rules of Bankruptcy Procedure 9011 and 2017, and 11 U.S.C. § 329.

IT IS SO ORDERED.

March 31, 2010



DATE

BEN T. BARRY
UNITED STATES BANKRUPTCY JUDGE

cc: John M. Robinson, Jr.
Debtors in the above-captioned cases
Ray Fulmer, chapter 7 trustee
Thomas E. Robertson, chapter 7 trustee
Jean Rolfs, Clerk of the Court
U.S. Trustee
Charles Tucker, Assistant U.S. Trustee
Honorable Richard D. Taylor
Honorable James G. Mixon
Honorable Audrey R. Evans
All creditors and interested parties