

**DISTRICT OF COLUMBIA COURT OF APPEALS  
BOARD ON PROFESSIONAL RESPONSIBILITY**



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**In the Matter of** :  
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**CLYDE C. CRANE IV, ESQUIRE,** :  
**Respondent,** :  
 :  
**A Member of the Bar of the** :  
**District of Columbia Court of Appeals.** :  
**Bar Number: 1003053** :  
**Date of Admission: September 9, 2011** :  

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**Disciplinary Docket No. 2022-D213**

**SPECIFICATION OF CHARGES**

The disciplinary proceeding instituted by this petition is based upon conduct that violates the standards governing the practice of law in the District of Columbia as prescribed by D.C. Bar R. X and XI, § 2(b). Jurisdiction for this disciplinary proceeding is prescribed by D.C. Bar. R. XI. Pursuant to D.C. Bar R. XI, § 1(a), jurisdiction is found because:

1. Respondent is a member of the Bar of the District of Columbia Court of Appeals, having been admitted on September 9, 2011, and assigned Bar number 1003053. He is also licensed to practice in Virginia.

The facts giving rise to the charges of misconduct are as follows:

*Crane v. Crane, Case No. 2015-6185*

2. Respondent and Leslie E. Crane were married in October 2002. On May 11, 2015, Ms. Crane filed for divorce from Respondent in Fairfax County Circuit Court. At the time, Ms. Crane was, and still is, disabled and unable to work while Respondent worked as an attorney earning between \$120,000-\$165,000 per year. Respondent was represented by Anita McFadden during the divorce proceedings.

3. On February 24, 2016, the parties entered into a Property Settlement and Support Agreement (“PSSA”). The PSSA required Respondent to pay spousal support, certain insurance premiums, and unreimbursed medical expenses for Ms. Crane. Respondent was also required to consult with Ms. Crane in obtaining a refund for the couple’s 2015 joint tax return, then pay Ms. Crane one-half of the refund amount.

4. On April 25, 2016, a final order of divorce was entered in Fairfax County Circuit Court. The PSSA was incorporated into the final order for divorce. Pursuant to the final order of divorce, the parties were required to give each other and the court at least thirty days’ advance written notice of any change of address or telephone number. Respondent’s address for purposes of service and notice in the final order of divorce was 2207 Dike Road, Woodland, WA 98674.

5. Ms. McFadden withdrew as counsel for Respondent upon entry of the final order of divorce.

6. On July 13, 2017, Respondent sent Ms. Crane an email from crane\_tj@yahoo.com, with the subject: Change of Address. In the email, Respondent wrote, “My new address is: Saudi Aramco PO Box 8523, Dhahran 31311, Saudi Arabia.” Respondent did not provide a residential address and did not file a change of address with the court until October 28, 2019. When he did file the change of address with the court, he provided the same PO Box that he provided Ms. Crane in July 2017.

7. On October 9, 2018, Ms. Crane, through counsel, filed a Verified Petition for Issuance of a Rule to Show Cause. In the Petition, Ms. Crane alleged, *inter alia*, that Respondent was in violation of the parties’ Final Order of Divorce because:

- a. Respondent did not cooperate with Ms. Crane in filing the parties’ 2015 joint tax return, and instead forged her name on the tax return; and
- b. Respondent failed to pay Ms. Crane one-half of the refund associated with the return.

8. Ms. Crane requested that the court issue a *Rule to Show Cause* against Respondent and find him in contempt of court for violating the final order of divorce.

She also requested that the court order Respondent to pay all amounts owed to Ms. Crane.

9. On October 17, 2018, the court issued a Rule to Show Cause, requiring Respondent to appear before the court on November 16, 2018, to show cause why he failed to obey the final order of divorce and should not be held in contempt of court.

10. On November 16, 2018, the court held a hearing on the Rule to Show Cause; however, Ms. Crane had not been able to serve Respondent and he did not appear. The court issued an Amended Rule to Show Cause, setting a new hearing date of January 30, 2019, to give Ms. Crane additional time to effectuate service upon Respondent.

11. Ms. Crane, through counsel, made several attempts to serve Respondent with the Rule to Show Cause and Amended Rule to Show Cause. Counsel sent the documents to Respondent's P.O. Box in Saudi Arabia, but the package was returned undelivered. The documents were also emailed to Respondent's email address: crane\_tj@yahoo.com. Finally, Ms. Crane served Respondent's mother-in-law at Respondent's last known residential address in Woodland, WA.

12. On January 30, 2019, the court held a hearing on the Amended Rule to Show Cause. Respondent did not appear. The court found that Ms. Crane's service

on Respondent's mother-in-law in Woodland, WA, was valid and Respondent had sufficient notice of the hearing. The court ruled that it would find Respondent in contempt for failure to pay the amounts owed under the final order of divorce but did not immediately enter the order because Ms. Crane intended to supplement the record regarding the exact amounts Respondent owed related to various obligations.

13. On July 23, 2019, Ms. McFadden entered a special appearance on behalf of Respondent and filed a motion to quash service of process and dismiss Ms. Crane's Amended Rule to Show Cause, Verified Petition for Issuance of Rule to Show Cause, and Motion to Modify Spousal Support for lack of service of process. Respondent's motion was denied on September 20, 2019.

14. On March 13, 2020, the court held Respondent in contempt. The court found that Respondent had willfully and knowingly violated the final order of divorce and entered a judgment against Respondent in favor of Ms. Crane in the amount of \$192,999.32, including \$9,223.00 for the unpaid tax refund. The court set purge terms, which required Respondent to pay the judgement within 180 days of the order. As of the date of this Specification of Charges, Respondent has not paid the judgment to purge the contempt.

15. On April 10, 2020, Respondent, through Ms. McFadden, filed a notice of appeal with the Court of Appeals of Virginia. Respondent argued that he was not

properly served with the motion to show cause and, therefore, the contempt order was void. He also argued that he should not have been found in contempt because he did not willfully violate the divorce decree due to his alleged inability to pay. Respondent also argued that the amount of the sanction and attorney's fees awarded Ms. Crane were excessive.

16. On February 2, 2021, the Court of Appeals of Virginia affirmed the lower court's decision. The appellate court found that Respondent was properly served with the motion to show cause, that the evidence was sufficient to find him in willful contempt of court, and that the lower court did not err in imposing sanctions or awarding Ms. Crane attorney's fees based on Respondent's failure to abide by the divorce order and appear in the lower court proceedings.

17. Ms. McFadden withdrew as counsel for Respondent on July 22, 2021.

***Respondent's Failure to Respond to Disciplinary Counsel's Investigation***

18. On October 28, 2022, Ms. Crane filed a disciplinary complaint against Respondent, alleging that his failure to abide by the court orders and being found in contempt of court violated the Rules of Professional Conduct. Ms. Crane alleged that Respondent had not made any payments or attempts to cure his contempt since July 22, 2021.

19. On December 15, 2022, Disciplinary Counsel sent a letter of inquiry with a copy of the complaint to Respondent's email address of record with the D.C. Bar, crane\_tj@yahoo.com, and asked him to provide a written response by January 4, 2023. Disciplinary Counsel did not receive a rejection notice from Yahoo.com after the email was sent.

20. On December 27, 2022, Disciplinary Counsel also mailed the inquiry letter with a copy of the complaint to Respondent's two addresses of record with the DC Bar: P.O. Box 861 Woodland, Washington 98674-0900 and P.O. Box 8523 Saudi Aramco, Dhahran 31311, Saudi Arabia. On January 19, 2023, the United States Postal Service returned Disciplinary Counsel's letter and the complaint sent to Respondent's Woodland, Washington P.O. Box address. The letter sent to the P.O. Box in Saudi Arabia was not returned.

21. Respondent did not provide a response to Disciplinary Counsel's letter of inquiry by January 4, 2023, and he did not ask for an extension of time to provide the requested response.

22. On February 7, 2023, Disciplinary Counsel sent another letter to Respondent, again by email to crane\_tj@yahoo.com, informing him that his failure to respond in writing to the allegations in the complaint could result in further disciplinary actions under Rules 8.1(b) and 8.4(d) and requested that he respond by

February 21, 2023. The email was not returned undelivered, and Respondent did not respond to our email inquiry.

23. On February 8, 2023, Disciplinary Counsel also mailed the February 7<sup>th</sup> letter, which included a copy of the complaint, to Respondent at another address he used - 7630 Provincial Drive, Apartment 109, McLean, Virginia 22102. The letter and enclosures were sent by first-class and certified mail. Disciplinary Counsel also sent the February 7<sup>th</sup> letter with enclosures to Respondent's P.O. Box address in Saudi Arabia by air mail.

24. On February 21, 2023, the letter that was sent to Respondent's McLean, Virginia address by certified mail was returned unsigned. On February 23, 2023, the USPS returned the letter that was sent to Respondent's McLean, Virginia address by first class mail. The letter sent to Respondent's P.O. Box in Saudi Arabia was not returned.

25. Respondent did not provide any response to Disciplinary Counsel's letter of inquiry by February 21, 2023, either by email or regular mail, and he did not ask for an extension of time to provide the requested response.

26. On March 8, 2023, Disciplinary Counsel filed with the Board on Professional Responsibility, pursuant to Board Rule 2.10, a motion to compel Respondent's written response to the investigation. Disciplinary Counsel served its



motion on Respondent by email, which was not returned, and by first-class email to the Woodland, WA P.O. Box, the Saudia Arabia P.O. Box, and the Mclean, VA address. Only the letter sent to Respondent's address in McLean, VA was returned.

27. Respondent did not file an opposition or otherwise respond to Disciplinary Counsel's motion.

28. On May 8, 2023, the Board issued an Order compelling Respondent to submit a written response to Disciplinary Counsel's investigation within ten days. Pursuant to Board Rule 2.10(a), the Office of the Executive Attorney sent a copy of the Board's Order to Respondent to his email address on record with the DC Bar, crane\_tj@yahoo.com, as well as his mailing address: P.O. Box 861, Woodland, WA 98647. Respondent did not respond pursuant to the Board Order.

29. On June 29, 2023, Respondent renewed his registration with the D.C. Bar. He continued to list his addresses as crane\_tj@yahoo.com, P.O. Box 861, Woodland, WA 98647, and a secondary address of P.O. Box 8523, Saudi Aramco, 31311 Dhahran, Saudi Arabia.

30. As of the date the undersigned Assistant Disciplinary Counsel executed this Specification of Charges, Respondent has failed to comply with the Board's Order, and he has not otherwise contacted the Office of Disciplinary Counsel regarding this matter.

### *The Charges*

31. Respondent's conduct violated the following Rules of Professional Conduct:

- a. Virginia Rule 3.4(d), in that he knowingly disobeyed a ruling of a tribunal made in the course of a proceeding;
- b. District of Columbia Rule 8.1(b), in that he knowingly failed to respond reasonably to a lawful demand for information regarding this matter from the Office of Disciplinary Counsel;
- c. Virginia Rule 8.4(b), in that he engaged in a criminal or deliberately wrongful act, which reflects adversely on his honesty, trustworthiness or fitness to practice law *e.g.*, theft of Ms. Crane's portion of the 2015 tax refund;
- d. Virginia Rule 8.4(c), in that he engaged in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on Respondent's fitness to practice law, *e.g.*, including Ms. Crane's signature on the couple's 2015 tax return and filing said return without consulting Ms. Crane;
- e. District of Columbia Rule 8.4(d), in that he engaged in conduct that seriously interfered with the administration of justice; and

f. D.C. Bar R. XI, § 2(b)(3), in that he failed to comply with an order of the Board.

Respectfully submitted,

/s/ Hamilton P. Fox, III

Hamilton P. Fox, III  
Disciplinary Counsel

/s/ Dru M. Foster

Dru M. Foster  
Assistant Disciplinary Counsel

OFFICE OF DISCIPLINARY COUNSEL  
515 5<sup>th</sup> Street, N.W.  
Building A, Room 117  
Washington, D.C. 20001  
202-638-1501

### **VERIFICATION**

I declare under penalty of perjury under the laws of the United States of America that I verily believe that the facts stated in the Specification of Charges to be true and correct.

Executed on this 31<sup>st</sup> of October, 2023.

/s/ Dru M. Foster

Dru M. Foster

**DISTRICT OF COLUMBIA COURT OF APPEALS  
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**In the Matter of**

**CLYDE C. CRANE IV, ESQUIRE,  
Respondent,**

**A Member of the Bar of the  
District of Columbia Court of Appeals.  
Bar Number: 1003053  
Date of Admission: September 9, 2011**

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**Disciplinary Docket No. 2022-D213**

**PETITION INSTITUTING FORMAL DISCIPLINARY PROCEEDINGS**

A. This Petition (including the attached Specification of Charges which is made part of this Petition) notifies Respondent that disciplinary proceedings are hereby instituted pursuant to Rule XI, § 8(c), of the District of Columbia Court of Appeals' Rules Governing the Bar (D.C. Bar R.).

B. Respondent is an attorney admitted to practice before the District of Columbia Court of Appeals on the date stated in the caption of the Specification of Charges.

C. A lawyer member of a Hearing Committee assigned by the Board on Professional Responsibility (Board) pursuant to D.C. Bar R. XI, § 4(e)(5), has approved the institution of these disciplinary proceedings.

D. **Procedures**

(1) **Referral to Hearing Committee** - When the Board receives the Petition Instituting Formal Disciplinary Proceedings, the Board shall refer it to a Hearing Committee.

(2) **Filing Answer** - Respondent must respond to the Specification of Charges by filing an answer with the Board and by serving a copy on the Office of Disciplinary Counsel within 20 days of the date of service of this Petition, unless the time is extended by the Chair of the Hearing Committee. Permission to file an answer after the 20-day period may be granted by the Chair of the Hearing Committee if the failure to file an answer was attributable to mistake, inadvertence, surprise, or excusable neglect. If a limiting date occurs on a Saturday, Sunday, or official holiday in the District of Columbia, the time for submission will be extended to the next business day. Any motion to extend the time to file an answer, and/or any other motion filed with the Board or Hearing Committee Chair, must be served on the Office of Disciplinary Counsel at the address shown on the last page of this petition.

(3) **Content of Answer** - The answer may be a denial, a statement in exculpation, or a statement in mitigation of the alleged misconduct. Any charges not answered by Respondent may be deemed established as provided in Board Rule 7.7.

(4) **Mitigation** - Respondent has the right to present evidence in mitigation to the Hearing Committee regardless of whether the substantive allegations of the Specification of Charges are admitted or denied.

(5) **Process** - Respondent is entitled to fifteen days' notice of the time and place of hearing, to be represented by counsel, to cross-examine witnesses, and to present evidence.

E. In addition to the procedures contained in D.C. Bar R. XI, the Board has promulgated Board Rules relating to procedures and the admission of evidence which are applicable to these procedures. A copy of these rules is being provided to Respondent with a copy of this Petition.

**WHEREFORE**, the Office of Disciplinary Counsel requests that the Board consider whether the conduct of Respondent violated the District of Columbia Rules of Professional Conduct, and, if so, that it impose/recommend appropriate discipline.

Respectfully submitted,

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Hamilton P. Fox, III  
Disciplinary Counsel

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