

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 1310 Disciplinary Docket No. 3
Petitioner	:	
	:	No. 85 DB 2007
v.	:	
	:	Attorney Registration No. 34832
RICHARD CHARLES RUPP,	:	
Respondent	:	(Cumberland County)

ORDER

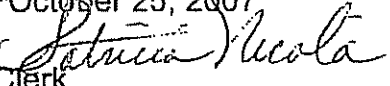
PER CURIAM:

AND NOW, this 25th day of October, 2007, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated September 25, 2007, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), Pa.R.D.E., and it is

ORDERED that Richard Charles Rupp is suspended on consent from the Bar of this Commonwealth for a period of one year and one day and he shall comply with all the provisions of Rule 217, Pa.R.D.E.

A True Copy Patricia Nicola

As of: October 25, 2007

Attest: 
Chief Clerk

Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

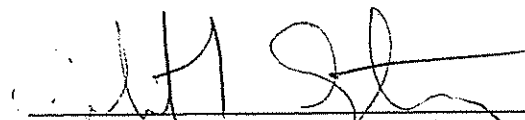
OFFICE OF DISCIPLINARY COUNSEL : No. 85 DB 2007
Petitioner :
v. : Attorney Registration No. 34832
RICHARD CHARLES RUPP :
Respondent : (Cumberland County)

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 Robert L. Storey, Jonathan H. Newman and Robert E. J. Curran, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on September 5, 2007.

The Panel approves the Joint Petition consenting to a One Year & One Day Suspension and recommends to the Supreme Court of Pennsylvania that the attached Petition be Granted.

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


Robert L. Storey, Panel Chair
The Disciplinary Board of the
Supreme Court of Pennsylvania

Date: September 25, 2007

BEFORE THE DISCIPLINARY BOARD
OF THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL : No. 85 DB 2007
Petitioner :
: File Nos. C3-06-622, C3-06-695,
: C3-06-844, C3-06-956,
v. : & C3-07-182
:
: Attorney Registration No. 34832
RICHARD CHARLES RUPP :
Respondent : (Cumberland County)

**JOINT PETITION IN SUPPORT OF DISCIPLINE ON CONSENT UNDER RULE
215(d) OF THE PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT**

The Petitioner, the Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and Joseph J. Huss, Disciplinary Counsel, and the Respondent, Richard Charles Rupp, by his counsel, Robert H. Davis, Jr., Esquire, file this Joint Petition in Support of Discipline on Consent under Rule 215(d) of the Pennsylvania Rules of Disciplinary Enforcement and respectfully aver the following:

1. Petitioner, whose principal office is located at Suite 1400, 200 North Third Street, Harrisburg, Pennsylvania 17101, 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.

FILED

SEP 05 2007

Office of the Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

2. Respondent, Richard Charles Rupp, was born April 23, 1956 and was admitted to practice law November 4, 1981.

3. The Respondent's business office address is 355 North 21st Street, Suite 201, Camp Hill, Cumberland County, Pennsylvania 17011.

4. Richard Charles Rupp is represented by Robert H. Davis, Jr., Esquire.

5. After conferring with Attorney Davis, Respondent has agreed to enter into this Joint Petition.

6. Respondent has prior history of discipline. He received an informal admonition on March 27, 2006 for multiple violations of Rules of Professional Conduct (hereafter "RPCs") 1.3, 1.4(a), 1.5(b), 1.15(b), and 1.16(d). These violations arose from his representation of five different clients whose complaints were assigned Office of Disciplinary Counsel (hereafter "ODC") file numbers C3-04-917, C3-04-923, C3-05-88, C3-05-234, and C3-05-235.

7. Respondent received a second informal admonition on September 28, 2006 for violations of RPCs 1.3, 1.4(a) and (b), and 1.5(b) which arose from his representation of a single client whose complaint was assigned ODC file number C3-05-939.

8. In the present case, as set forth in DB-7 Letters of Inquiry, and DB7A Supplemental Letters of Inquiry, Respondent is charged with multiple violations of RPCs 1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.15(b), and 1.16(d), as more specifically set forth below. Additionally, in a pending Petition for Temporary Suspension Pursuant to Rule 208(f)(5), Pa.R.D.E. for Failure to Comply With a

Comply With a Subpoena, Respondent is alleged to have failed to comply with a subpoena of the Supreme Court of Pennsylvania, which failure is in violation of RPC 8.1(b) and 8.4(d).

**Specific Factual Admissions and
Rules of Professional Conduct Violated**

Matter I - File No. C3-06-622 (Complainant - Eunice I. Benoist)

9. Respondent admits to violating Rules of Professional Conduct 1.1 involving competent representation; 1.3 involving reasonable diligence and promptness in representing a client; 1.4(a)(3), involving keeping the client reasonably informed about the status of the matter; and 1.4(a)(4), involving complying with reasonable requests for information, as follows:

a. On February 10, 2004, Henry D. Attig (hereafter, "decedent") died. His will named his sister, Eunice I. Benoist, as Executrix.

b. Mrs. Benoist retained Respondent to handle the estate. On February 20, 2004, Respondent obtained Cumberland County Letters Testamentary (Estate File No. 2104-174) for Mrs. Benoist.

c. On April 13, 2004, Respondent filed a Certificate of Notice under Rule 5.6(a) on behalf of the estate. Thereafter, he took no further action relative to the estate and failed to communicate with Mrs. Benoist.

d. On December 17, 2004, Mrs. Benoist filed a disciplinary complaint against Respondent, File No. C3-04-923, alleging that he had neglected the estate and failed to communicate with her.

e. On January 10, 2005, Investigator Lowell Kratzer of the Office of Disciplinary Counsel met with Respondent at his law office to discuss his handling of the estate of Henry D. Attig. Respondent advised Investigator Kratzer that he would send Mrs. Benoist a letter "in the next day or two" to update her on the status of the estate. Thereafter, Respondent took no further action.

f. On March 24, 2005, Petitioner sent Respondent a DB-7 Request for Statement of Respondent's Position alleging his lack of

diligence and failure to keep a client informed about the status of a matter.

g. On April 29, 2005, Respondent met with Mrs. Benoist and reviewed the status of the estate. At this time, Mrs. Benoist signed checks to pay inheritance taxes in the amount of \$1,850.92, the filing fee, \$35.00 and Respondent's fee, \$1,660.00.

h. By letter of May 3, 2005, Respondent provided Mrs. Benoist with a copy of the inheritance tax return that he had filed on behalf of the estate.

i. On May 4, 2005, Respondent filed the inheritance tax return and the inventory for the estate with the Cumberland County Register of Wills Office.

j. By letter of May 10, 2005, Respondent's office refunded a check in the amount of \$35 to Mrs. Benoist and noted that he had paid the filing fee.

k. On July 22, 2005, PA Department of Revenue filed a Notice of Tax Appraisalment showing that the estate owed additional taxes in the amount of \$476.90. The additional tax was the result of a disallowance of a family exemption claimed in the original return.

l. Respondent failed to pay the additional taxes on behalf of the estate, and failed to notify Mrs. Benoist of the tax appraisalment.

m. On March 27, 2006, Respondent appeared before Paul Killion, Chief Disciplinary Counsel for an Informal Admonition relative to his neglect and non-communication in this matter, and misconduct in other unrelated matters. The informal admonition terminated consideration of File No. C3-04-923.

n. However, on April 19, 2006, Mrs. Benoist received a call from Thomas Stone of the PA Department of Revenue informing her that the estate still owed taxes in the amount of \$493.98. Following this phone call, Mrs. Benoist immediately contacted Respondent's law office and left a message with his receptionist.

o. On April 21, 2006, Mrs. Benoist again called Respondent . On this occasion Respondent took her call. He stated that he would check on this matter and get back to her sometime "next week." Mrs. Benoist asked Respondent what the Department of Revenue could do to her if she did not promptly pay the taxes and he told her not to worry.

p. Thereafter, Respondent failed to communicate with Mrs. Benoist. The April 21, 2006 telephone conversation was the last communication she had with him.

q. By letter dated August 16, 2006, the PA Department of Revenue notified Mrs. Benoist, with a copy to Respondent, that the estate was in delinquent status and the tax liability was \$505.58 including interest.

r. On September 7, 2006, since Mrs. Benoist had not heard from Respondent, she went to the Cumberland County Register of Wills and paid the additional inheritance taxes in full.

s. By DB7 Letter of Inquiry dated December 5, 2006, Respondent was advised by Petitioner that Ms. Benoist had filed a second complaint against him. In his DB-7 Answer of January 22, 2007, Respondent indicated he "was writing to Mrs. Benoist this week."

t. Despite this claim, Respondent's failure to communicate is ongoing, and Respondent has failed to reimburse her for the interest and penalties assessed by the Department of Revenue.

Matter II - File No. C3-06-695 (Complainant - Dominick J. Costanza)

10. Respondent admits to violating Rules of Professional Conduct 1.1 involving competent representation; 1.3 involving reasonable diligence and promptness in representing a client; 1.4(a)(3), involving keeping the client reasonably informed about the status of the matter; 1.4(a)(4), involving complying with reasonable requests for information; 1.15(b) involving prompt delivery to a client or third person any property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property; and 1.16(d) involving termination of representation, as follows:

a. On June 16, 2006, Dominick J. Costanza retained Respondent to represent him in a Swatara Township, Dauphin County, zoning matter, in connection with which Mr. Costanza had written a letter to the Board of Commissioners in February 2006 but had never received a reply.

b. Respondent advised Mr. Costanza that he would write to the Swatara Township Zoning Officer but would need a copy of Mr. Costanza's February 2006 letter, his business license and a zoning map. Mr. Costanza provided all these materials to Respondent within two weeks.

c. In mid-July 2006, Respondent returned a phone call from Mr. Costanza inquiring about the status of his case. Respondent told him to come to his office on July 19 or July 20, 2006 to review the letter that Respondent had drafted for the zoning officer.

d. On the mid-afternoon of July 20, 2006, Mr. Costanza came to Respondent's office and his doors were locked and the office was inaccessible.

e. On July 21, 2006, Respondent's secretary called Mr. Costanza to make another appointment. Mr. Costanza asked that Respondent fax a copy of the draft letter to him. He said he would make any necessary changes and return it to Respondent by fax.

f. Mr. Costanza did not receive the draft letter. Thus, by letter dated July 24, 2006, he reiterated his request that the draft be faxed to him, in that he did not see a need for a personal appointment.

g. Respondent again failed to reply to Mr. Costanza's request. Thus, by letter of August 11, 2006, Mr. Costanza notified Respondent of his displeasure with Respondent's conduct, specifically including his failure to provide the draft letter. He requested that Respondent return his file and a refund his \$600 retainer by August 21, 2006.

h. Respondent's failure to reply to Mr. Costanza's August 11, 2006 letter, return his file, or refund any of his fee, is continuing.

Matter III - File No. C3-06-844 (Complainant - Caren L. Sealover)

11. Respondent admits to violating Rules of Professional Conduct 1.1 involving competent representation; 1.3 involving reasonable diligence and

promptness in representing a client; 1.4(a)(3), involving keeping the client reasonably informed about the status of the matter; 1.4(a)(4), involving complying with reasonable requests for information; 8.1(b), involving failing to respond to a lawful demand for information from a disciplinary authority; and 8.4(d), involving engaging in conduct that is prejudicial to the administration of justice as follows:

a. On August 27, 2004, Caren L. Sealover retained Respondent to represent her in a divorce action against her husband, Scott W. Sealover.

b. Respondent provided Ms. Sealover with a written fee agreement and acknowledged receipt of her \$500 payment. The agreement provided for a flat fee of \$300 for a no fault consent divorce, plus filing fees. Any additional services were to be billed at an hourly rate. Nothing in the fee agreement provided the fee was non-refundable.

c. Between August 2004 and November of 2005, Ms. Sealover made multiple calls to Respondent's office and spoke to a variety of individuals to check on the status of her case. She was repeatedly advised that someone would look into the matter and get back to her. However, no one did so.

d. On November 18, 2005, more than a year after Respondent had been retained, he filed a divorce complaint on behalf of Ms. Sealover in the Cumberland County Prothonotary's Office, Docket No. 2005-5986-Civil Term.

e. However, Respondent failed to properly serve the divorce complaint on the defendant, Scott W. Sealover.

f. During 2006, Ms. Sealover repeatedly called Respondent's office to check on the status of her case. Again, she was repeatedly told someone would check into the case and get back to her. However, no one did so. As a result, she hired new counsel and filed a complaint with Petitioner.

g. In December 2006, Respondent was sent a DB-7 letter by Petitioner, which included a request for financial records related to the retainer paid by Ms. Sealover. He answered in January 2007, but failed to provide the requested financial records.

h. After Petitioner's follow-up letter of February 6, 2007, on March 1, 2007, Respondent finally provided bank records. He claimed he had deposited Ms. Sealover's check into his IOLTA account in March 2005, which was seven months after he received Sealover funds.

i. In a face-to-face meeting on March 19, 2007, and in a follow-up letter dated March 26, 2007, Petitioner again requested financial records in an effort to clarify how the Sealover funds were actually handled.

j. Respondent failed to comply with these requests. Thus, via subpoena dated May 23, 2007 Respondent was directed to provide these records.

k. His failure to do so is continuing. This conduct caused Petitioner to file a Petition for Temporary Suspension Pursuant to Rule 208(f)(5) on June 6, 2007. A Rule to Show Cause has been issued and Answer filed, as has a Reply with New Matter. A hearing set for this matter has been indefinitely continued pending the adoption of the recommended discipline set forth herein.

Matter IV - File No. C3-06-956 (Complainant - Randy J. Sweigart)

12. Respondent admits to violating Rules of Professional Conduct 1.3 involving reasonable diligence and promptness in representing a client; 1.4(a)(3), involving keeping the client reasonably informed about the status of the matter; and, 1.4(a)(4), involving complying with reasonable requests for information, as follows:

a. On April 7, 2003, Randy J. Sweigart, through his then counsel, filed a Divorce Complaint against Marian Sweigart, docketed to No. 03-1596 (Cumberland County).

b. In/About August 2005, Complainant discharged his counsel and retained Respondent. He paid him a retainer of \$1,250. He also provided Respondent with a copy of a Settlement Agreement that had been prepared by prior counsel. Respondent agreed to make several requested changes, and to then contact Mr. Sweigart. Respondent estimated this would take about a week.

c. From August through November 2005, Respondent failed to provide Mr. Sweigart with any updated information about his divorce case, and Respondent failed to return a series of phone calls Mr. Sweigart made in an effort to obtain information.

d. As a result of Respondent's failure to communicate, Mr. Sweigart filed a complaint with the Office of Disciplinary Counsel on November 14, 2005.

e. In late November 2005 Respondent was verbally put on notice this complaint had been filed. Respondent finally undertook several actions, including sending a letter dated December 19, 2005 to Mr. Sweigart's estranged wife, who was *pro se* in the pending divorce case, asking her to review the proposed Settlement Agreement.

f. As a result of this activity, Disciplinary Counsel exercised its discretion and dismissed Complainant's November 14, 2005 complaint.

g. In January 2006, Respondent advised Mr. Sweigart to prepare a list of assets for possible use if this matter had to be heard by a divorce master. Respondent also submitted a bill to Mr. Sweigart reflecting a balance due in the amount of \$475, based upon a total amount of claimed earned fees of \$1,725, less Mr. Sweigart's initial retainer of \$1,250.

h. On January 16, 2006, Mr. Sweigart paid the \$475 balance due.

i. From mid-January 2006 through January 2007, Mr. Sweigart repeatedly called Respondent's office, left messages with his staff and on voicemail, and wrote him letters requesting information, and requesting progress in his divorce case. However, other than some brief discussion of the need to obtain the appointment of a Divorce Master, these attempted communications were, for the most part, ignored, and there was no progress in the divorce case.

j. In October 2006, Mr. Sweigart's divorce case was dismissed for inactivity. He was unaware of this development until his new counsel discovered it in late January 2007.

Matter V - File No. C3-07-182 (Complainants - Todd S. Mogel and Jill E. Morell)

13. Respondent admits to violating Rules of Professional Conduct 1.3 involving reasonable diligence and promptness in representing a client; 1.4(a)(3), involving keeping the client reasonably informed about the status of the matter; 1.4(a)(4), involving complying with reasonable requests for information; 1.4(b), involving explaining a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation; 1.15(b) involving prompt delivery to a client or third person any property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property; and 1.16(d) involving termination of representation, as follows:

a. Todd Mogel and Jill Morell, are Executors of the Estate of Walter F. Mogel, who died on March 31, 2005.

b. Respondent's father, Herbert G. Rupp, Jr., Esq., had represented decedent for many years. The Executors hired him to represent them in connection with the administration of the decedent's estate.

c. This representation was memorialized in a May 2005 fee letter sent by Respondent's father to Co-Executor Todd Mogel.

d. Because of Respondent's father's serious health problems, his involvement in the practice of law became increasingly limited, and he turned over this file to Respondent at some time in or about early 2006.

e. At some point in or about October 2005, after consultation with Herbert Rupp, Executors Todd Mogel and Jill Morell liquidated approximately \$50,000 in PNC Stock, with the proceeds to be held in Wachovia Investment account number 1914-8877.

f. Commencing in early November 2005, a series of checks payable to the Estate of Warren F. Mogel were drawn on this investment account, as follows:

November 3, 2005	\$10,000.00
November 3, 2005	3,500.00
November 9, 2005	6,000.00
November 16, 2005	6,500.00
January 12, 2006	10,000.00
February 17, 2006	15,000.00

g. The two November 3, 2005 checks were purportedly endorsed over to Respondent's firm by the Co-executors.

h. Because of uncertainty on the part of Co-executors as to how these funds were handled, they made numerous requests during 2005 and 2006 for an accounting in connection with these payments, and in connection with Respondent's handling of estate funds generally. Respondent failed to provide this information.

i. Moreover, almost from the beginning of Respondent's representation of Todd Mogel and Jill Morell, they encountered serious difficulties communicating with Respondent. They repeatedly attempted to speak with him via the telephone, and sent him a series of written requests for information, during the period mid-2005 through December 2006.

j. Respondent failed to respond to these attempted communications/inquiries. He has also failed to file a Pennsylvania Inheritance Tax Return, as well as Fiduciary Income Tax Returns, both State and Federal, for the estate. Moreover, Respondent also failed to respond to numerous notices and inquiries from the Pennsylvania Department of Revenue concerning inheritance taxes and the lack of a tax return.

k. As a result of the foregoing, Respondent's representation was terminated by Todd Mogel and Jill Morell by letter sent to Respondent on November 30, 2006. This letter also requested that Respondent promptly turn over all files and records in his possession, including estate files, as well as files previously opened/maintained by his father in connection with the decedent's various business interests, to their new counsel, Stephanie Kleinfelter, Esquire.

l. Respondent failed to provide any materials to Ms. Kleinfelter pursuant to their request. Thus, by letters dated December 19,

2006, and January 29, 2007, these materials were again requested by Attorney Kleinfelter.

m. Respondent eventually responded by letter dated February 2, 2007, in which he indicated he would be "happy to turn over the files," which he described as "voluminous."

n. Attorney Kleinfelter promptly responded to Respondent's February 2, 2007 letter via fax the same date. In her letter she clearly stated her desire to obtain all files and records in Respondent's possession, given the fact the decedent engaged in various business activities, and had various assets, many, if not all of which were estate assets. Attorney Kleinfelter also requested an accounting from Respondent as to the services he had provided to Todd Mogel and Jill Morell, and urged Respondent to provide the files and records as soon as possible, in that various tax returns had not been timely filed, resulting in interest and penalties being charged.

o. Despite Respondent's exchange of correspondence with Attorney Kleinfelter, he continued to fail to turn over the decedent's files. Respondent's failure to do so was ongoing through early 2007, despite Attorney Kleinfelter's repeated calls to his office.

p. Finally, on March 1, 2007, Respondent responded to Attorney Kleinfelter's calls by leaving her a voicemail indicating that files were available to be picked up.

q. Several days later, Respondent provided copies of the decedent's gift tax returns from 1996-1997 and 1998, an original buy and sell agreement for Brookside Mobile Home Park dated December 29, 1982, and a copy of the decedent's Will and Revocable Trust Agreement. None of the other voluminous file materials referred to in Respondent's letter to Attorney Kleinfelter were provided.

r. Respondent's failure to provide the remaining materials to Attorney Kleinfelter continued until July 30, 2007, at which time, following the involvement of Respondent's Counsel and Petitioner, the requested file materials were turned over. Respondent also provided an accounting.

Proposed Conclusions of Law

14. By the conduct described above, Respondent has violated Rules of Professional Conduct 1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.15(b), 1.16(d), 8.1(b), and 8.4(d).

Aggravating/Mitigating Circumstances

15. Respondent was involved, in late 2006 and early 2007, in a contentious divorce. Upon the conclusion of the divorce in early 2007, Respondent lost his medical insurance coverage.

16. Respondent had previously been diagnosed with Attention Defecit Hyperactive Disorder (ADHD). His loss of medical insurance substantially impeded his financial ability to obtain prescribed medication, and to continue counseling. He took his medication erratically, or not at all, during early 2007, which contributed to a decline in his ability to focus, organize, and meet deadlines.

17. Respondent has severe financial difficulties. His office telephone was disconnected for approximately 5 days in early July 2007 due to his failure to pay his bill. He has been evicted from his office and must surrender possession by September 1. His personal office property has been levied upon by the local sheriff.

18. Specific Joint Recommendations for Discipline

19. The Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent is a suspension for a period of one (1) year and one (1) day.

20. The Respondent hereby consents to discipline of a suspension of one (1) year and one (1) day. Attached to this Petition is the Respondent's executed Affidavit required by Rule 215(d) of the Pennsylvania Rules of Disciplinary Enforcement, stating that he consents to the recommended discipline, including the mandatory acknowledgements contained in Rule of Disciplinary Enforcement 215(d)(1) through (d)(4).

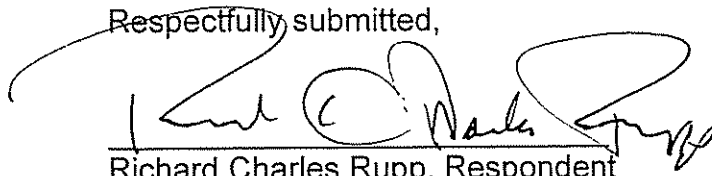
21. The parties believe, and therefore aver, that their recommendation is consistent with relevant disciplinary case law, including *Office of Disciplinary Counsel v. Sterling Artist, No. 153 DB 2005* (one year and one day suspension); *Office of Disciplinary Counsel v. Howard Goldman, 78 Pa. D. & C.4th 538* (2005) (one year and one day suspension); *Office of Disciplinary Counsel v. Kadunce, No. 2 DB 2004* (2005) (one year and one day suspension); *In re Anonymous (Charles Elias Sieger, Jr.) No. 142 DB 1999, 60 Pa.D&C 4th 522* (2001) (one year and one day suspension); *In re Anonymous (Nicholas E. Fick) No. 73 DB 1999* (one year and one day suspension); *In re Anonymous (Frederick A. Shapiro) No. 92 DB 1990, (14 Pa. D&C 4th 597* (1992) (one year and one day suspension); and *In re Anonymous (Colie Chappelle) Nos. 36,105 DB 1989, 36DB 1990, 22 Pa. D.& C. 4th 364* (1993).

WHEREFORE, the Petitioner and Respondent respectfully request, pursuant to Pennsylvania Rules of Disciplinary Enforcement 215(e) and 215(g), that a three member panel of the Disciplinary Board review and approve the Joint Petition in Support of Discipline on Consent and order a suspension of one (1) year and one (1) day for violations of Rules of Professional Conduct 1.1, 1.3,

1.4(a)(3), 1.4(a)(4), 1.15(b), 1.16(d), 8.1(b) and 8.4(d). Further, it is requested that the three member panel order the Respondent to pay the necessary expenses incurred in the investigation in this matter as a condition of the grant of the Petition, and that all expenses be paid by the Respondent before imposition of discipline under Pennsylvania Rules of Disciplinary Enforcement 215(g).

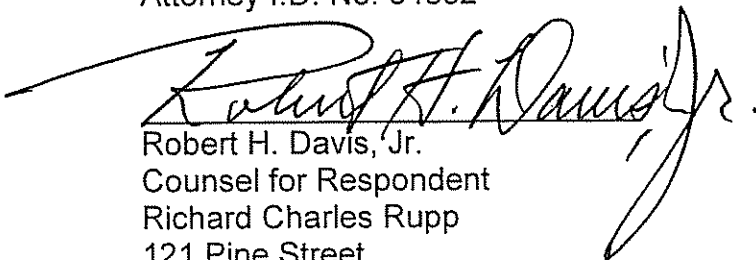
Respectfully submitted,

08/31/07
DATE



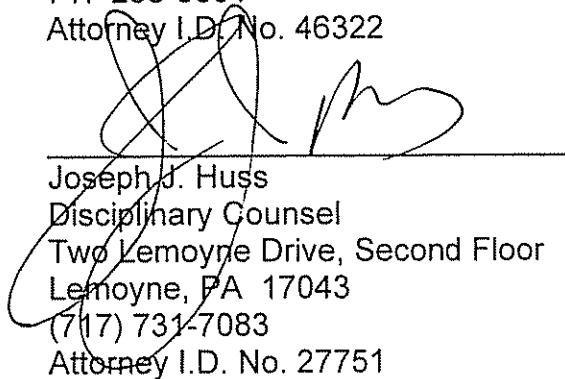
Richard Charles Rupp, Respondent
355 North 21st Street, Suite 201
Camp Hill, PA 17011
717-761-3459
Attorney I.D. No. 34832

8/31/2007
DATE



Robert H. Davis, Jr.
Counsel for Respondent
Richard Charles Rupp
121 Pine Street
Harrisburg, PA 17101
717-238-6861
Attorney I.D. No. 46322

8/30/07
DATE



Joseph J. Huss
Disciplinary Counsel
Two Lemoyne Drive, Second Floor
Lemoyne, PA 17043
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Attorney I.D. No. 27751

BEFORE THE DISCIPLINARY BOARD
OF THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL :	No. ____	DB 2007
	Petitioner :	
	:	
v.	:	Attorney Registration No. 34832
	:	
RICHARD CHARLES RUPP	:	
	Respondent:	(Cumberland County)

**RESPONDENT'S AFFIDAVIT UNDER RULE 215(d) OF THE
PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT**

I, Richard Charles Rupp, Respondent in the above-captioned matter, hereby consent to the imposition of a suspension from the practice of law for a period of one year and one day, as jointly recommended by the Petitioner, Office of Disciplinary Counsel, and myself, in a *Joint Petition in Support of Discipline on Consent* and further state:

1. MY consent is freely and voluntarily rendered. I am not being subjected to coercion or duress, and am fully aware of the implications of submitting this *Joint Petition*.
2. I am represented by Robert H. Davis, Jr., Esquire, about the matters which are the subject of this *Joint Petition*.
3. I am aware there is presently an investigation into allegations that I am guilty of misconduct as set forth in the *Joint Petition*;
4. I acknowledge that the material facts set forth in the *Joint Petition* are true; and

5. I consent to the imposition of discipline because I know that if the charges against me were prosecuted I could not successfully defend against them.

The statements contained in the foregoing *Affidavit Under Rule 215(d) of the Pennsylvania Rules of Disciplinary Enforcement*, are true and correct to the best of my knowledge, information and belief, and are subject to penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

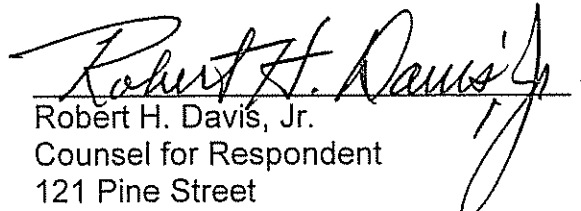
Respectfully submitted,

08/31/07
Date



Richard Charles Rupp
Respondent
355 N. 21st Street, Ste 201
Camp Hill, PA 17011-3707
Attorney I.D. No. 34832

8/31/07
Date



Robert H. Davis, Jr.
Counsel for Respondent
121 Pine Street
Harrisburg, PA 17101-1209
Attorney I.D. 46322

BEFORE THE DISCIPLINARY BOARD
OF THE SUPREME COURT OF PENNSYLVANIA

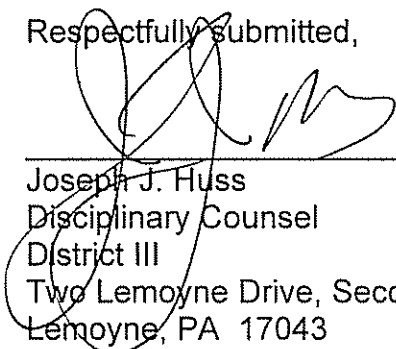
OFFICE OF DISCIPLINARY COUNSEL : No. ___ DB 2007
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Respondent : (Cumberland County)

VERIFICATION

The statements contained in the foregoing *Joint Petition in Support of Discipline on Consent* of the Pennsylvania Rules of Disciplinary Enforcement 215(d), are true and correct to the best of my knowledge, information and belief, and are subject to penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

8/30/07
Date

Respectfully submitted,



Joseph J. Huss
Disciplinary Counsel
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Attorney I.D. No. 27751

BEFORE THE DISCIPLINARY BOARD
OF THE SUPREME COURT OF PENNSYLVANIA

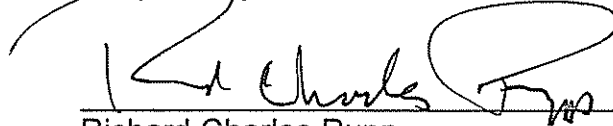
OFFICE OF DISCIPLINARY COUNSEL : No. ___ DB 2007
Petitioner :
v. : Attorney Registration No. 34832
RICHARD CHARLES RUPP :
Respondent : (Cumberland County)

VERIFICATION

The statements contained in the foregoing *Joint Petition in Support of Discipline on Consent* of the Pennsylvania Rules of Disciplinary Enforcement 215(d), are true and correct to the best of my knowledge, information and belief, and are subject to penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

08/31/07
Date

Respectfully submitted,



Richard Charles Rupp
Respondent
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