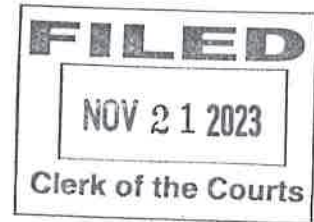


**BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT  
PANEL B**

IN RE: William Ross Wisely, Respondent Attorney  
Arkansas Bar No. 83186  
Case No. CPC-2023-019



**FINDINGS AND ORDER**

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee against William Ross Wisely (Wisely), an attorney licensed by the Supreme Court of Arkansas assigned Arkansas Bar No. 83186.

On April 12, 2019, Wisely entered into a loan agreement with Velocity Commercial Capitol (Velocity) where Velocity loaned Wisely \$175,050.00, and Wisely secured the loan with an assignment of the mortgage on 5513 Scenic Drive, Little Rock, AR 72207. The principal and interest were due in full to Velocity on May 1, 2020. On July 6, 2020, Velocity filed a Complaint for Foreclosure and Judgment as case 60CV-20-3724, asking for immediate possession of collateral property. Velocity argued that, as of July 1, 2020, Wisely owed \$173,541.67 in principal, in addition to late fees, and \$11,553.60 in interest.

On April 15, 2022, Velocity filed a Motion for Summary Judgment. On April 22, 2022, Wisely filed a *pro se* response to the motion for summary judgment. Wisely asked that the motion be denied on the grounds of unclean hands and negligent lending. Wisely said that his wife, Christine Wisely, was unaware of the note and did not participate in the agreement, because "...this defendant forged her signature on said documents..." Wisely's affidavit admitted that he forged Christine's signature without her knowledge by pretending to go out to the car to have her sign it, but instead he signed it himself. Wisely said "Your Honor, I'm not proud of what I did and I apologize to my wife, the Court, and the Bar." Wisely argued that it would be improper and unjust for Velocity to punish Christine for something she was unaware of.

Velocity's reply to Wisely's argument that his wife should not be punished anticipates an argument that because the homestead mortgage was not signed by both parties, it is not valid pursuant to Ark. Code. Ann. § 18-12-403. Velocity argued that the homestead exception should not apply, because that was not Wisely's primary residence. Wisely filed a supplemental affidavit, restating his fraud, and arguing that the collateral property was in fact a primary residence.

Upon consideration of the formal complaint and attached exhibit materials and the Arkansas Rules of Professional Conduct, Panel B of the Arkansas Supreme Court Committee on Professional Conduct finds:

1. That Wisely's conduct violated Rule 8.4(b). Arkansas Rule 8.4(b) provides that it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects. A person commits Ark. Code Ann. § 5-37-201 Forgery if, with the purpose to defraud, they make, complete, alter, counterfeit, possess, or utter any written instrument that purports to be or is calculated to become or to represent if completed, the act of another person. Forgery in the second degree, a C Felony, is committed by forging a written instrument that is a deed, will, codicil, contract, assignment, check, commercial instrument, credit card, or other written instrument that does or may evidence, create, transfer, terminate, or otherwise affect a legal right, interest, obligation, or status.

Wisely, with the purpose to defraud, completed a commercial mortgage, security agreement, and assignment of leases and rents, by forging his wife's signature. By doing so, he directly affected her legal rights and interest in the collateral property, as well as fraudulently secured Velocity's interest in the loan repayment. Wisely's argument that Velocity had unclean hands does not diminish Wisely's culpability and purpose to defraud, and it could only mean that Velocity was an accomplice to the Forgery. Nonetheless, it was not proven that Velocity was complicit, but Wisely's affidavit admits to forging the signature. This criminal act directly affects Wisely's honesty, trustworthiness, and fitness as a lawyer.

2. That Wisely's conduct violated Rule 8.4(c). Arkansas Rule 8.4(c) provides that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Wisely was dishonest with Velocity when he pretended to go to the car to have his wife sign the agreement and instead, he fraudulently signed her name. Wisely did this to conceal from his wife the fact that he was taking out a loan, or so he could claim that the agreement was invalid due to the forgery, and thus, if successful, prevent Velocity from being awarded a judgment, or for both reasons. Wisely knew that he could not make the payments on the loan, and now claims that Velocity should be prevented from foreclosing and collecting what is owed to them and what Wisely contracted to pay. The loan amount was due to Velocity in May 2020, and now, over three (3) years later, because of Wisely's fraud, Velocity has not been repaid.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel B, to **SUSPEND** William Ross Wisely, Arkansas Bar Number 83186, from the practice of law for **THIRTY-SIX** months, for his conduct in this matter. Wisely shall pay a fine of \$500.00 and \$150.00 in costs, for a total amount of \$650.00. Wisely's lack of prior disciplinary history was a factor in determining the sanction.

The fine and costs assessed herein shall be payable by cashier's check or money order payable to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct within thirty (30) days of the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court.

ARKANSAS SUPREME COURT  
COMMITTEE ON PROFESSIONAL CONDUCT

By:   
Anne P. Birch, Vice-Chair, Panel B

Date: 30 October 2023