

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

K.O. JOHNSON,

Attorney-Movant,

No. 6237386

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Supreme Court No. M.R.

Commission No. 2022PR00007

MOTION PURSUANT TO SUPREME COURT RULE 762(a)

Movant, K.O. Johnson, respectfully represents to the Court that:

1. Movant was licensed to practice law in Illinois on November 7, 1996.
2. Movant desires to have his name stricken from the Roll of Attorneys pursuant to Supreme Court Rule 762(a), effective immediately.
3. Filed contemporaneously with this Motion is a Statement of Charges prepared by the Administrator and Movant's affidavit in support of this Motion.

WHEREFORE, Movant respectfully requests that the Court enter an order striking his name from the Roll of Attorneys.

Respectfully submitted,

/s/

  
K.O. Johnson

K.O. Johnson  
P.O. Box 84  
Sycamore, IL 60178  
Telephone: (815) 739-6749  
Email: [kojohnson66@gmail.com](mailto:kojohnson66@gmail.com)

**FILED**

January 25, 2022

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1/25/2022 11:52 AM  
CYNTHIA A. GRANT  
SUPREME COURT CLERK

## IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

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STATEMENT OF CHARGES PURSUANT TO  
SUPREME COURT RULE 762(a)

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission, by his attorney, Chi (Michael) Zhang, pursuant to Supreme Court Rule 762(a), states that on the date K.O. Johnson (hereinafter “Movant”) filed a motion requesting his name be stricken from the Roll of Attorneys, the Administrator was investigating the conduct that formed the basis for Movant’s conviction in the federal district court in Rockford of four counts of bankruptcy fraud and three counts of concealment of assets and false oaths and claims in a matter entitled *United States of America v. Kevin O. Johnson*, case number 16 CR 50060 (Northern District of Illinois), which involved the Movant’s scheme to defraud the Bankruptcy Trustee in his own bankruptcy matter by attempting to hamper, hinder, impede and obstruct the Trustee’s efforts to obtain information about approximately \$1,790,000 of accounts receivable belonging to Movant’s bankruptcy estate. Had Movant’s conduct been the subject of a hearing, the evidence described below would clearly and convincingly establish the following misconduct:

## I. FACTUAL BASIS

Court records, including the judgment of conviction from *United States of America v. Kevin O. Johnson*, docket number 16 CR 50060, and the testimony of various individuals, would establish the following facts:

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1. Movant was licensed in 1996 and since at least 2010, had been a sole practitioner practicing out of his office in DeKalb, Illinois.

2. On December 31, 2011, Movant filed a petition for Chapter 7 bankruptcy in the United States District Court for the Northern District of Illinois. The matter was assigned case number 11 B 85569, and a Rockford attorney was appointed to serve as the Bankruptcy Trustee for Movant's bankruptcy matter. During the first meeting of creditors, the Trustee informed Movant that all of Movant's accounts receivables were a part of the bankruptcy estate, and that Movant was required to turn over and provide an accounting for his accounts receivables to the Trustee.

3. On or about November 2015, a federal grand jury sitting in the United States District Court for the Northern District of Illinois, Western Division, returned an eight-count indictment against Movant related to his conduct in the bankruptcy matter and his representations to the Trustee. The indictment charged Movant with four counts of bankruptcy fraud, in violation of Title 18 U.S.C. § 157, and four counts of concealment of assets; false oaths and claims in bankruptcy, in violation of Title 18 U.S.C. § 152.

4. The indictment charged Movant with devising a scheme that would hamper, hinder, impede, and obstruct the Bankruptcy Trustee timely obtaining full and complete information about approximately \$1,790,000 of accounts receivables that were owed to Movant by his present and former clients, the proceeds from which Movant used for his personal benefit. Movant's scheme included ignoring, disregarding, and evading multiple requests and demands by the Bankruptcy Trustee for Movant to provide full and complete information concerning the accounts receivables; failing to disclose all account receivable proceeds Movant received during a certain time period; instructing employees to not collect complete information for delivery to the Trustee; providing

incomplete information to the Trustee by removing invoices and fee agreements from client files; and omitting a bank account in his bankruptcy petition which Movant later used to deposit a check from a former client that represented a portion of the accounts receivables owed to Movant at the time he filed his bankruptcy petition. Movant also knew that the Trustee had either notified or intended to notify all persons who owed accounts receivable to Movant to make all future payments to the Bankruptcy Trustee. To further his scheme, Movant contacted those persons and asked them to ignore the Trustee's letter and to not send payments to the Trustee. Movant also asked those persons to sign misleading documents about the true nature of their payments to Movant. The indictment further alleged that Movant knowingly made false representations to the Bankruptcy Trustee, including that security interests exceeded the accounts receivables; that part of the \$1,790,000 in accounts receivables were exempt property; and that he had not pursued collections after he filed for bankruptcy. Additionally, the indictment also alleged that Movant had falsely testified under oath about having a written agreement with his parents to re-pay his debt to them.

5. On July 30, 2021, prior to when the trial was set to begin, federal prosecutors filed a motion seeking to dismiss a count of the indictment which alleged that Movant had falsely testified under oath that he had a written agreement with his parents to re-pay his debt to them at the rate of \$1,000 per month. The court granted the prosecutor's motion and dismissed that count in the indictment.

6. On August 13, 2021, after an eight-day jury trial, the jury returned a verdict of guilty to all remaining seven counts in the indictment, in violation of 18 U.S.C. §§ 152(1), 152(8), 152(9), 157(2), and 157(3). Specifically, the jury found Movant guilty of the following crimes: (Count I)—Movant had devised and intended to devise a scheme to defraud the Bankruptcy Trustee by

hampering, hindering, impeding, and obstructing the Trustee's efforts to obtain full and complete information about Movant's \$1,790,000 in accounts receivable; continuing to collect accounts receivable from current and former clients for legal work Movant performed prior to filing for bankruptcy and using those proceeds for his personal benefit; continuing to refusing to provide a complete accounting for the accounts receivable; disregarding or evading multiple requests from the Trustee that Movant provide full and complete information concerning his accounts receivable; instructing employees not to collect complete information for delivery to the Trustee; intentionally failing to comply with a court order that required Movant to turn over all proceeds from the collection of accounts receivable to the Trustee; asking clients to ignore the Trustee's letter in which the Trustee notified those clients that owed payments to Movant's accounts receivable that any payments should be made to the Trustee; asking clients to sign misleading documents about the true nature of receivable payments they had made or would make to Movant; claiming that part of the \$1,790,000 were exempt property that Movant was entitled to keep; making false assertions to the Trustee about security interest and liens on the \$1,790,000 in accounts receivable; removing invoices and fee agreements from client files and not providing itemization of the work he performed for clients; and omitting a financial institution which Movant later used to deposit a check from a former client that represented the payment of an account receivable owed to Movant at the time he filed his bankruptcy petition, in violation of 18 U.S.C. § 157(2); (Count II)—causing to file a Response to Complaint Objecting to the Debtor's Discharge in his bankruptcy matter in furtherance of his scheme described in Count I, in violation of 18 U.S.C. § 157(2); (Count III)—causing to file an Amended Schedule C – Property Claimed Exempt in his bankruptcy proceeding in furtherance of Movant's scheme, in violation of 18 U.S.C. § 157(2); (Count IV)—representing to the Trustee that prepetition payments that Movant received were minimal and that those

payments were more than covered by liens when Movant knew that there were no liens, and claiming that he had not been pursuing collection after filing for bankruptcy when he had collected and continued to collect accounts receivable, in violation of 18 U.S.C. § 158(3); (Count VI)—failing to disclose all accounts receivable Movant had collected from January 1, 2012 through January 31, 2012, in violation of 18 U.S.C. § 152(8); (Count VII)—knowingly and fraudulently withholding recorded information relating to Movant’s financial affairs from the Trustee, in violation of 18 U.S.C. § 152(9); and (Count VIII)—knowingly and fraudulently concealing from the Trustee property belonging to the bankruptcy estate, in violation of 18 U.S.C. § 152(1).

7. On January 19, 2022, the court sentenced Movant to two years in federal prison for committing bankruptcy fraud.

8. As a result of the judgment of conviction and the conduct described above, Movant has engaged in the following misconduct:

- a. committing criminal acts that reflects adversely on his honesty, trustworthiness, or fitness as a lawyer in other respects, by conduct including devising and engaging in a scheme to defraud the Bankruptcy Trustee in relation to Movant’s bankruptcy petition, in violation of 18 U.S.C. §§ 152(1), 152(8), 152(9), 157(2), and 157(3), in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

Respectfully submitted,

Jerome Larkin, Administrator  
Attorney Registration and  
Disciplinary Commission

By:                     /s/Chi (Michael) Zhang                      
Chi (Michael) Zhang

Chi (Michael) Zhang  
Counsel for Administrator  
130 East Randolph Drive, Suite 1500  
Chicago, Illinois 60601  
Telephone: (312) 565-2600  
Email: [mzhang@iadc.org](mailto:mzhang@iadc.org)

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## AFFIDAVIT

Affiant, K.O. Johnson, being first duly sworn, states:

1. Affiant has filed with this Court a motion to strike his name from the Roll of Attorneys licensed to practice law in Illinois, pursuant to Rule 762(a).

2. Affiant has received and reviewed a copy of the Administrator's statement of the charges that were pending against Affiant as of the filing of the instant motion. If the case proceeded to a hearing, the judgment of conviction would be offered into evidence and would constitute conclusive evidence of Affiant's guilt of the crimes for purposes of these disciplinary proceedings.

3. Affiant's motion is freely and voluntarily made.

4. Affiant understands the nature and consequences of this motion.

/s/   
K.O. Johnson

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**CERTIFICATION**

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/   
K.O. Johnson

Dated: 1/24/2022

K.O. Johnson  
P.O. Box 84  
Sycamore, IL 60178  
Telephone: (815) 739-6749  
Email: [kojohnson66@gmail.com](mailto:kojohnson66@gmail.com)

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	)	
Attorney-Movant,	)	Commission No. 2022PR00007
	)	
No. 6237386	)	

NOTICE OF FILING

TO: K.O. Johnson  
Attorney-Movant  
P.O. Box 84  
Sycamore, IL 60178-0084  
Email: [kojohnson66@gmail.com](mailto:kojohnson66@gmail.com)

PLEASE TAKE NOTICE that on January 25, 2022, an electronic copy of the STATEMENT OF CHARGES PURSUANT TO ILLINOIS SUPREME COURT RULE 762(a) was submitted to the Clerk of the Supreme Court for filing. On that same date, a copy was served on Respondent by e-mail at [kojohnson66@gmail.com](mailto:kojohnson66@gmail.com) at or before 5:00 p.m.

Respectfully submitted,  
Jerome Larkin, Administrator  
Attorney Registration and  
Disciplinary Commission

By: s/Chi (Michael) Zhang  
Chi (Michael) Zhang

Chi (Michael) Zhang  
Counsel for the Administrator  
130 East Randolph Drive, Suite 1500  
Chicago, Illinois 60601  
Telephone: (312) 565-2600  
Email: [mzhang@iadc.org](mailto:mzhang@iadc.org);  
[Email: ARDCeService@iadc.org](mailto:ARDCeService@iadc.org)

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## PROOF OF SERVICE

The undersigned, an attorney, hereby certifies, pursuant to the Illinois Code of Civil Procedure, 735 ILCS 5/109, that the Administrator served a copy of the Notice of Filing and the STATEMENT OF CHARGES PURSUANT TO SUPREME COURT RULE 762(a), on the individual on the forgoing Notice of Filing, by e-mail to [kojohnson66@gmail.com](mailto:kojohnson66@gmail.com) on January 25, 2022 at or before 5:00 p.m.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

By: s/Chi (Michael) Zhang  
Chi (Michael) Zhang

Chi (Michael) Zhang  
Counsel for the Administrator  
130 East Randolph Drive, Suite 1500  
Chicago, Illinois 60601  
Telephone: (312) 565-2600  
Email: [mzhang@iadc.org](mailto:mzhang@iadc.org);  
[Email: ARDCeService@iadc.org](mailto:ARDCeService@iadc.org)

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