

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on June 8, 2023, the following order was made and entered:

SCA EFiled: Jun 08 2023  
04:26PM EDT  
Transaction ID 70167586

Office of Lawyer Disciplinary Counsel,  
Petitioner

vs.) No. 23-187

Keith L. Wheaton, a suspended member of the  
West Virginia State Bar,  
Respondent

**RULE TO SHOW CAUSE IN CONTEMPT**

On June 7, 2023, the Court proceeded to consider sanctions for the respondent Keith L. Wheaton's failure to comply with Rule 3.28 of the Rules of Lawyer Disciplinary Procedure.

The Court's May 11, 2023, Contempt and Suspension Order immediately suspended Keith L. Wheaton's license to practice law in the State of West Virginia. In addition, the order directed Keith L. Wheaton to comply with Rule 3.28 of the Rules of Lawyer Disciplinary Procedure. The respondent Keith L. Wheaton did not file an affidavit under seal in accordance with Rule 3.28(c) of the Rules of Lawyer Disciplinary Procedure within 20 days of the Court's May 11, 2023, order.

Upon review and consideration, the Court is of the opinion that a rule to show cause in contempt should be awarded. It is ORDERED that a rule does issue directed against Keith L. Wheaton, returnable before this Court at its courtroom in the City of Charleston, County of Kanawha, on **Wednesday, September 6, 2023**, commanding and directing him to show cause, if any he can, why he should not be held in contempt of this Court, unless sooner mooted by filing an affidavit under seal in accordance with Rule 3.28(c) of the Rules of Lawyer Disciplinary.

The Clerk of Court will, on a later date, provide the parties with a Notice of Argument under Rule 19(b) containing further information on the time of argument.

Service of an attested copy of this order constitutes sufficient notice of the contents.

A True Copy

Attest: /s/ Edythe Nash Gaiser  
Clerk of Court

