

NOTICE: This opinion is subject to modification resulting from motions for reconsideration under Supreme Court Rule 27, the Court's reconsideration, and editorial revisions by the Reporter of Decisions. The version of the opinion published in the Advance Sheets for the Georgia Reports, designated as the "Final Copy," will replace any prior version on the Court's website and docket. A bound volume of the Georgia Reports will contain the final and official text of the opinion.

In the
Supreme Court of Georgia

No. S26Y1458

In the Matter of Charles Edward Gallagher

Decided: September 9, 2026

PER CURIAM.

This disciplinary matter is before the Court on the report and recommendation of Special Master Kevin Bernard Hicks pursuant to Bar Rule 4-106 (governing the disciplinary process following an attorney's conviction of a felony or misdemeanor involving moral turpitude). In his report, the Special Master recommends that the Court disbar Charles Edward Gallagher (State Bar No. 282854), who has been a member of the State Bar since 1987, for his violation of Rule 8.4(a)(3) of the Georgia Rules of Professional Conduct ("GRPC"), found in Bar Rule 4-102(d). The maximum penalty for a violation of this Rule is disbarment. Neither Gallagher nor the Bar has sought review by the Review Board or filed exceptions to the Special Master's report, and the record before us supports the Special Master's findings of fact and conclusions of law. Therefore, we agree that disbarment is appropriate under the facts of this case.

The record shows that on April 21, 2025, Gallagher pled guilty to one misdemeanor count of petit theft in violation of Florida Statute § 812.014(1) in the Circuit Court of the First Judicial Circuit in and for Okaloosa County, Florida. Gallagher was sentenced to one year of probation, 50 hours of community service,

and \$509 in criminal restitution. The record underlying the criminal matter showed that on July 3, 2024, Gallagher entered a Truist Bank located in Destin, Florida, and demanded money from the bank teller. After the bank teller handed Gallagher \$509 in cash, Gallagher left the bank and fled the scene. Video from the bank’s surveillance camera showed Gallagher robbing the bank; the bank teller positively identified Gallagher in a photo lineup; and, while executing a search warrant on Gallagher’s car, law enforcement discovered various accessories that Gallagher wore during the robbery. On April 6, 2026, the State Bar petitioned this Court to appoint a Special Master to conduct a show cause hearing. See Bar Rule 4-106(a).¹ This Court appointed the Special Master, who held the show cause hearing on April 16, 2026. At the hearing, the State Bar introduced copies of surveillance photos from the bank, the incident report, the arrest report, and the plea and sentencing agreement. Gallagher attended the hearing and testified that he did not commit the bank robbery that was the basis for the misdemeanor count of petit theft to which he had pled guilty and for which he had been sentenced.

Following the show cause hearing, the Special Master issued his report and recommendation, in which he recounted the crime for which Gallagher was convicted and concluded that he violated Rule 8.4(a)(3).² The Special Master then noted that the presumptive penalty for Gallagher’s conduct under the ABA

¹ Rule 4-106(a) provides, in relevant part, that “[u]pon receipt of information or evidence that a conviction for any felony or misdemeanor involving moral turpitude has been entered against a lawyer, ... [t]he Office of the General Counsel shall petition the Supreme Court of Georgia for the appointment of a Special Master to conduct a show cause hearing.”

² Rule 8.4(a)(3) provides that “[i]t shall be a violation of the [GRPC] for a lawyer to ... be convicted of a misdemeanor involving moral turpitude where the underlying conduct relates to the lawyer’s fitness to practice law[.]”

Standards was disbarment. See ABA Standard 5.11(b) (disbarment is the presumptive sanction when a lawyer engages in intentional conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously and adversely reflects on the lawyer's fitness to practice). Next, the Special Master determined that there were four applicable aggravating factors: dishonest or selfish motive; submission of false evidence, false statements, or other deceptive practices during the disciplinary process; refusal to acknowledge the wrongful nature of his conduct; and substantial experience in the practice of law. See ABA Standard 9.22(b), (f), (g), (i). In mitigation, the Special Master noted that Gallagher had no prior disciplinary record, see ABA Standard 9.32(a), but explained that the aggravating factors substantially outweigh the sole mitigating factor. The Special Master then concluded that the only appropriate discipline in this matter would be disbarment.

Upon our review of the record, we agree with the Special Master that Gallagher violated Rule 8.4(a)(3) and that disbarment is appropriate, as it is consistent with the discipline imposed in similar cases where an attorney violated Rule 8.4(a)(3) by committing a misdemeanor involving moral turpitude. See, e.g., *In the Matter of Porges-Dodson*, 280 Ga. 433 (2006) (disbarring attorney for violation of Rule 8.4(a)(3) due to conviction for misdemeanor conversion of government property).

Accordingly, it is hereby ordered that the name of Charles Edward Gallagher be removed from the rolls of persons authorized to practice law in the State of Georgia.³ Gallagher is reminded of his duties under Bar Rule 4-219(b).

³ The separately pending matter, *In the Matter of Gallagher*, S26Y0007, will be placed on the Court's inactive docket and held, pending any application by Gallagher for reinstatement to the practice of law in the State of Georgia.

Disbarred. All the Justices concur.