

FILED

July 27, 2022

## IN THE SUPREME COURT OF ILLINOIS

ARDC CLERK

In the Matter of:

ROBERT ALAN ROTH,

Attorney-Movant,

No. 3123594

Supreme Court No. M.R.

Commission No. 2022PR00055

## MOTION PURSUANT TO SUPREME COURT RULE 762(a)

Movant, Robert Alan Roth, respectfully represents to the Court that:

1. Movant was licensed to practice law in Illinois on April 26, 1979.
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/

Robert Alan Roth

Robert Alan Roth – IDOC# Y46655  
 Illinois Department of Corrections  
 2600 N. Brinton Avenue  
 Dixon, IL 61021

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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, Matthew D. Lango, pursuant to Supreme Court Rule 762(a), states that on the date Robert Alan Roth (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 Circuit Court of McHenry County for the crime of aggravated driving under the influence of alcohol and causing the death of another, in a matter entitled *People of the State of Illinois v. Robert Alan Roth*, case number 20CF000423. 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 *People of the State of Illinois v. Robert Alan Roth*, case number 20CF000423, and the testimony of various individuals, would establish the following facts:

1. Movant was licensed to practice law in Illinois on April 26, 1979. For most of his legal career, and at the time of the events described in this Statement of Charges, Movant was an attorney in private practice in Crystal Lake.

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2. In the afternoon of June 2, 2020, Movant consumed several alcoholic beverages at Matt's Tavern in Crystal Lake. Movant left Matt's Tavern with the intention of driving to Tommy's Restaurant, which is located approximately 2.2 miles away, also in Crystal Lake.

3. After leaving Matt's Tavern, at approximately 4:30 p.m. on June 2, 2020, while driving northbound on Route 31 in Crystal Lake, Movant caused his SUV to collide with a Jeep, also traveling northbound. As a result, the Jeep crossed into the southbound lanes of traffic on Route 31 and collided with a motorcycle driven by Adam M. Antoni.

4. Following the collision between the Jeep and his motorcycle, Antoni was transported to Northwestern Hospital in McHenry where he was later pronounced dead as a result of the injuries he sustained in the collision.

5. On June 2, 2020, Crystal Lake Police Officers arrested Movant at the scene of the collision. The arresting officers transported Movant to Northwestern Hospital where he agreed to provide a blood sample. Following a blood alcohol test, the arresting officers determined that Movant's blood alcohol concentration was at least .297 at the time of the collision, more than triple the legal limit of .08 in Illinois.

6. On June 4, 2020, the McHenry County State's Attorney's Office filed a four-count criminal complaint against Movant. The complaint charged Movant with two counts of aggravated driving under the influence of alcohol causing death, in violation of 625 ILCS 5/11-501(d)(1)(F) and two misdemeanor counts of driving under the influence of alcohol in violation of 625 ILCS 5/11-501(a)(1) and (2). The clerk of the court docketed the matter as *People of the State of Illinois v. Robert Alan Roth*, case number 20CF000423.

7. On June 25, 2021, Movant pled guilty to count one of the complaint, a Class 2 felony of aggravated driving under the influence of alcohol causing death, in violation of Chapter

625 section 5/11-501(d)(1)(F) of the Illinois Compiled Statutes. On that date, the Honorable Robert Wilbrandt entered a judgment of conviction against Movant for the crime of aggravated driving under the influence of alcohol and causing the death of another. Judge Wilbrandt sentenced Movant to five years imprisonment in the Illinois Department of Corrections and fined Movant \$2,609. Pursuant to Movant's plea agreement, the State's Attorney dismissed the remaining charges of the complaint.

## II. CONCLUSION OF MISCONDUCT

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

- a. committing a criminal act that reflects adversely on his honesty, trustworthiness, or fitness as a lawyer in other respects, by engaging in the crime of felony driving under the influence of alcohol and causing the death of Adam Antoni, in violation of 625 ILCS 5/11-501(d)(1)(F) and Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

Respectfully submitted,

Jerome Larkin, Administrator  
Attorney Registration and  
Disciplinary Commission

By: /s/Matthew D. Lango  
Matthew D. Lango

Matthew D. Lango  
Counsel for the Administrator  
130 East Randolph Drive, Suite 1500  
Chicago, Illinois 60601  
Telephone: (312) 565-2600  
Email: [mlango@iadc.org](mailto:mlango@iadc.org)  
Email: [ARDCeService@iadc.org](mailto:ARDCeService@iadc.org)



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Supreme Court No. M.R.

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## AFFIDAVIT

Affiant, Robert Alan Roth, 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.

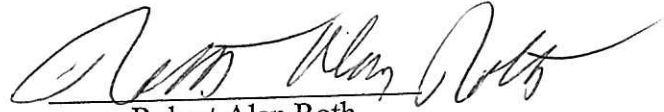


Robert Alan Roth

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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.

  
Robert Alan RothDated: 7/19/22

Robert Alan Roth – IDOC# Y46655  
Illinois Department of Corrections  
2600 N. Brinton Avenue  
Dixon, IL 61021

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## NOTICE OF FILING

TO: Robert Alan Roth  
 Movant  
 IDOC#Y46655  
 Illinois Department of Corrections  
 2600 N. Brinton Avenue  
 Dixon, IL 61021

PLEASE TAKE NOTICE that on July 27, 2022, electronic copies of Movant's MOTION PURSUANT TO SUPREME COURT RULE 762(a), Administrator's STATEMENT OF CHARGES and Movant's AFFIDAVIT, were submitted to the Clerk of the Supreme Court for filing. On that same date, copies were served on Movant, by causing said copies to be deposited in the U.S. Mailbox located at One Prudential Plaza, 130 East Randolph Drive, Chicago, Illinois, with first-class postage prepaid, at or before 4:00 p.m.

Respectfully submitted,

Jerome Larkin, Administrator  
 Attorney Registration and  
 Disciplinary Commission

By: /s/Matthew D. Lango  
 Matthew D. Lango

Matthew D. Lango  
 Counsel for the Administrator  
 130 East Randolph Drive, Suite 1500  
 Chicago, Illinois 60601-6219  
 Telephone: (312) 565-2600  
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 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 copies of the Notice of Filing, Movant's MOTION PURSUANT TO SUPREME COURT RULE 762(a), Administrator's STATEMENT OF CHARGES PURSUANT TO SUPREME COURT RULE 762(a) and Movant's AFFIDAVIT, on the individual shown on the foregoing Notice of Filing, by regular mail, proper postage prepaid, by causing the same to be deposited in the U.S. Mailbox located at One Prudential Plaza, 130 East Randolph Drive, Suite 1500, Chicago, Illinois 60601 on July 27, 2022 at or before 4:00 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.

/s/ Matthew D. Lango

Matthew D. Lango

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