

BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

In the Matter of:)	
)	
AUGUSTUS SOL INVICTUS,)	
)	Commission No. 2026PR00003
Attorney-Respondent,)	
)	
No. 6310589.)	

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Richard Gleason, pursuant to Supreme Court Rule 761(c), complains of Respondent Augustus Sol Invictus, who was licensed to practice law in Illinois on February 13, 2013, and alleges that Respondent has engaged in the following conduct which subjects him to discipline pursuant to Supreme Court Rule 770:

(Criminal Conviction in Virginia for the Felony Offense of Burning an Object with the Intent to Intimidate)

1. At all times alleged in this complaint, there was in effect a criminal statute in the Commonwealth of Virginia called “Burning an Object with the Intent to Intimidate,” Virginia Code Section 18.2-423.01, which made it a class 6 felony punishable by up to five years in prison to burn an object on the property of another or a highway or other public place with the intent to intimidate.

2. On August 11, 2017, Respondent and other protesters participated in a torch-lit march on the Charlottesville campus of the University of Virginia. The marchers walked through University grounds and surrounded a smaller group of counter-protesters at the base of a statue of Thomas Jefferson next to the University’s Rotunda, where physical skirmishes between protesters

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and counter-protesters ensued. Respondent was present at the march, during which he also carried a lit torch.

3. On April 3, 2023, an Albemarle County, Virginia grand jury charged Respondent with a single felony count of “Burning an Object with the Intent to Intimidate” for his participation in the August 11, 2017 march, described in paragraph two, above. The Albemarle County Clerk of the Court entitled the matter *Commonwealth of Virginia v. Augustus Sol Invictus*, and assigned it case number CR23000149. The matter was eventually assigned to the Honorable Richard E. Moore for trial.

4. Between October 8, 2024 and October 11, 2024, Judge Moore presided over a jury trial in Respondent’s criminal case. On October 11, 2024, after hearing the evidence and the arguments, and after receiving Judge Moore’s instructions, the jury deliberated and returned its verdict, finding Respondent guilty of the class 6 felony offense of “Burning an Object with the Intent to Intimidate.” The jury further found that Respondent committed the offense “in a manner having a direct tendency to place another person in reasonable fear or apprehension of bodily injury or death.” After receiving the verdict, Judge Moore discharged the jury and, in accord with the jury’s verdict, found Respondent guilty as charged in the indictment. Judge Moore continued the matter to January 8, 2025 for sentencing.

5. On January 8, 2025, Judge Moore sentenced Respondent to five years in prison, suspending all but nine months and two weeks of the prison sentence by a period of probation. On March 3, 2025, Judge Moore entered final judgment on his and the jury’s finding of Respondent’s guilt, and delayed execution of the sentence pending the status of any appeal filed by Respondent.

6. On March 3, 2025, Respondent filed a notice of appeal of the final judgment of conviction, described in paragraph five, above. Respondent filed the record on appeal on July 8,

2025. On August 6, 2025, the Court of Appeals of Virginia ordered that Respondent file his appellate brief on or before September 17, 2025.

7. Respondent did not file his appellate brief until September 19, 2025, two days after the court-imposed deadline of September 17, 2025. On October 8, 2025, the Court of Appeals of Virginia dismissed Respondent's appeal because he had not timely filed his brief. On October 9, 2025, Respondent moved that his appeal be reinstated. On October 28, 2025, the Court of Appeals of Virginia denied the motion and dismissed the appeal. The disposition of Respondent's criminal case is now final.

8. By reason of the conduct and conviction described above, Respondent has engaged in the following misconduct:

- a. committing a criminal act that reflects adversely on his fitness as a lawyer, by conduct including on August 11, 2017, burning an object on the property of another with the intent to intimidate, in a manner having a direct tendency to place another person in reasonable fear or apprehension of bodily injury or death, in violation of Virginia Code Section 18.2-423.01, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, and that the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully Submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Richard Gleason
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