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FOR IMMEDIATE RELEASE  
November 3, 2010  
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**MINGO COUNTY LAWYER SENTENCED TO PRISON**

***Fraudulently Received over \$119,000 by Creating and Falsifying Court Orders***

CHARLESTON, W. Va. – A Mingo County, West Virginia attorney was sentenced today for fraudulently obtaining over \$119,000 from an Alabama Corporation. William H. Duty, 56, of Delbarton, West Virginia was ordered to serve six months in prison followed by six months of community confinement for wire fraud. Duty previously pleaded guilty in July, admitting he falsified state court documents to obtain reimbursement for services he provided as a court-appointed lawyer.

Duty was a solo law practitioner with an office in Williamson, West Virginia. Among other types of cases, Duty represented indigent clients in state criminal matters. As a normal practice, after a case was completed, Duty submitted a payment voucher form to the Circuit Court Judge for the Thirtieth Judicial Circuit of West Virginia, which includes Mingo County. The Circuit Court Judge reviewed the payment voucher and signed a court order authorizing payment. Duty then submitted the court order to the West Virginia Public Defender Services ("WVPDS") for payment. As a general matter, the WVPDS took several months or more to reimburse Duty.

In December 2004, Duty entered into a cash-advance agreement with Daniels Capital Corporation ("DCC"), a corporation headquartered in Birmingham, Alabama, to expedite payment from WVPDS for his legal services. In exchange for prompt payments less a small percentage, Duty assigned his right to full payment from WVPDS to DCC. In essence, once Duty received the court order approving his payment voucher for a particular case, he would fax a copy of the order to both WVPDS and DCC. DCC would wire Duty the reimbursement less a percentage that same day or the next day. When WVPDS eventually processed the same payment voucher, WVPDS would pay DCC directly the full amount.

From June 2005 until at least December 2007, Duty submitted a number of fraudulent court orders to DCC for payment. In some cases, Duty created a false court order. In other cases, Duty took court orders and increased the reimbursement amount. Among others, on or about February 16, 2006, Duty wired a falsified court order and payment voucher to DCC requesting \$2,780. In total, Duty fraudulently obtained \$119,375.87 from DCC.

The United States Postal Service and United States Secret Service investigated the matter. Assistant United States Attorney Thomas C. Ryan handled the prosecution. United States District Judge John T. Copenhaver, Jr. presided over the proceedings.

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