

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

MONDAY

September 25, 1995

MERIT DOCKET

95-1854. State ex rel. Saikus v. Eighth Judicial Dist. of Ohio. In Mandamus and Prohibition. This cause originated in this court on the filing of a complaint for writs of mandamus and prohibition. Upon consideration of relators' motion to certify impartiality of Supreme Court Justices and demand for affidavits,

IT IS ORDERED by the court that the motion to certify impartiality of Supreme Court Justices and demand for affidavits be, and hereby is, denied, effective September 19, 1995.

IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed, sua sponte, effective September 19, 1995.

Moyer, C.J., Douglas, Wright, Resnick, F.E. Sweeney, Pfeifer and Cook, JJ., concur.

MOTION DOCKET

95-22. First Natl. Supermarkets, Inc. v. Merrill Lynch, Pierce, Fenner & Smith, Inc.

Cuyahoga County, No. 66454. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. On September 19, 1995, appellee filed a request for oral argument. The document filed by appellee contains a brief for which the filing deadline imposed by S.Ct.Prac.R. VI(2) has passed. S.Ct.Prac.R. XIV(1)(C) prohibits the filing of any document after the time for filing prescribed by the rules. Accordingly,

IT IS ORDERED by the court, sua sponte, effective September 20, 1995, that appellee's request for oral argument be, and hereby is, stricken.

95-1485. Nationwide Ins. Co. v. Thomas.

Lucas County, No. L-94-199. This cause is pending before the court as a discretionary appeal and as a claimed appeal of right. On September 19, 1995, appellants filed a motion to strike part of appellee's memorandum in response to appellants' memorandum in support of jurisdiction. It appears to the court that the motion to strike is, in substance, a reply memorandum. Whereas, S.Ct.Prac.R. III(3) prohibits the filing of reply memoranda,

IT IS ORDERED by the court, sua sponte, effective September 21, 1995, that appellants' motion to strike part of appellee's memorandum in response to appellants' memorandum in support of jurisdiction be, and hereby is, stricken.

#### MISCELLANEOUS DISMISSALS

95-1372. Hewlett Packard Co. v. Cuyahoga Cty. Bd. of Revision. Board of Tax Appeals, Nos. 94-D-899 and 94-D-900. This cause is pending before the court as an appeal from the Board of Tax Appeals. It appears from the records of this court that appellant has not filed a merit brief, due September 18, 1995, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that this cause be, and hereby is, dismissed sua sponte, effective September 21, 1995.

95-1609. State v. Banks.

Franklin County, No. 87AP-83. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. It appears from the records of this court that appellant has not filed a merit brief, due September 18, 1995, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that this cause be, and hereby is, dismissed sua sponte, effective September 21, 1995.

95-1835. State ex rel. Blackshear v. Indus. Comm.

Franklin County, No. 94APD07-1050. On September 6, 1995, a notice of appeal by Industrial Commission of Ohio, due September 5, 1995, was inadvertently filed by the Clerk's Office. Accordingly,

IT IS ORDERED by the court, sua sponte, effective September 21, 1995, that the notice of appeal be, and hereby is, stricken.

IT IS FURTHER ORDERED by the court, sua sponte, that, in that appellant failed to perfect an appeal pursuant to S.Ct.Prac.R. II(2)(A)(1), this case be, and hereby is, dismissed, effective September 21, 1995, for lack of jurisdiction.

95-1921. State v. Cox.

Delaware County, No. 93CAA10039. Appellant has filed an untimely appeal of the court of appeals' decision denying his application for reopening under App.R. 26(B) and a motion for delayed appeal. This appeal involves a civil, post-conviction matter and not an appeal of a felony case to which the provisions for delayed appeal in S.Ct.Prac.R. II(2)(A)(4) apply. Therefore,

IT IS ORDERED by the court, sua sponte, effective September 21, 1995, that the motion for delayed appeal be, and hereby is, stricken.

IT IS FURTHER ORDERED by the court, sua sponte, that, in that appellant failed to perfect an appeal pursuant to S.Ct.Prac.R. II(2)(A)(1), this case be, and hereby is, dismissed, effective September 21, 1995, for lack of jurisdiction.

#### MISCELLANEOUS DOCKET

In re Report of the Commission	:	1995 TERM
on Continuing Legal Education.	:	
	:	To wit:
September 21, 1995		

John Richard Anderson  
(#0033550),  
R  
Respondent.

O R D E

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov. Bar R. X, Attorney Continuing Legal Education, for the 1992-1993 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of \$750 for noncompliance in the 1992-1993 reporting period. Furthermore, the commission's report recommended that the respondent be suspended from the practice of law pursuant to Gov.Bar R. X(5)(A)(4), for failure to pay a previous court-ordered sanction for noncompliance in a previous reporting period in addition to noncompliance in the 1992-1993 reporting period. On March 24, 1995, this court issued to the respondent an order to show cause why the commission's recommendation should not be adopted and an order so entered against the respondent. Respondent filed no objections to the commission's recommendation and this cause was considered by the court. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted and respondent, John Richard Anderson, is immediately suspended from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4), until respondent is reinstated by order of this court pursuant to Gov.Bar R. X(7)

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall pay to the Commission on Continuing Legal Education, by certified check or money order, a sanction fee which is hereby imposed in the total amount of \$750.

IT IS FURTHER ORDERED that, payment of the sanction fee notwithstanding, respondent shall comply with the requirements imposed by Gov.Bar R. X for the 1992-1993 reporting period. See CLE Reg. 503.4.

It IS FURTHER ORDERED that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

IT IS FURTHER ORDERED that respondent is hereby forbidden to counsel or advise or prepare legal documents for others or in any manner perform such services.

IT IS FURTHER ORDERED that respondent is hereby divested of each, any and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

IT IS FURTHER ORDERED that respondent surrender forthwith respondent's certificate of admission to practice law and attorney registration card to the Clerk of this court and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that respondent shall complete one credit hour of continuing legal education for each month, or portion of a month of the suspension. As part of the total credit hours of continuing legal education required by this order, respondent shall complete one credit hour of instruction related to ethics and professional responsibility, including instruction on substance abuse, for each six months, or portion of six months, of the suspension.

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for

reinstatement set forth in Gov.Bar R. X(7) and this court orders respondent reinstated.

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;

3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;

5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and

7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

IT IS FURTHER ORDERED that respondent shall keep the Clerk of this court and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(6)(H), the Clerk of this court send certified copies of this order to those persons or organizations named in Gov.Bar R. V(8)(D)(1), and that publication be made as required under Gov.Bar R. X(6)(H).

In re Report of the Commission : 1995 TERM  
on Continuing Legal Education. :

: To wit:

September 21, 1995

Jack Patrick Bunce

(#0033229),

O R D E

R

Respondent.

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1992-1993 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of \$450 for noncompliance in the 1992-1993

reporting period. Furthermore, the commission's report recommended that the respondent be suspended from the practice of law pursuant to Gov.Bar R. X(5)(A)(4), for failure to pay a previous court-ordered sanction for noncompliance in a previous reporting period in addition to noncompliance in the 1992-1993 reporting period. On March 24, 1995, this court issued to the respondent an order to show cause why the commission's recommendation should not be adopted and an order so entered against the respondent. Respondent filed no objections to the commission's recommendation and this cause was considered by the court. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted and respondent, Jack Patrick Bunce, is immediately suspended from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4), until respondent is reinstated by order of this court pursuant to Gov.Bar R. X(7)

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall pay to the Commission on Continuing Legal Education, by certified check or money order, a sanction fee which is hereby imposed in the total amount of \$450.

IT IS FURTHER ORDERED that, payment of the sanction fee notwithstanding, respondent shall comply with the requirements imposed by Gov. Bar R. X for the 1992-1993 reporting period. See CLE Reg. 503.4.

It IS FURTHER ORDERED that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

IT IS FURTHER ORDERED that respondent is hereby forbidden to counsel or advise or prepare legal documents for others or in any manner perform such services.

IT IS FURTHER ORDERED that respondent is hereby divested of each, any and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

IT IS FURTHER ORDERED that respondent surrender forthwith respondent's certificate of admission to practice law and attorney registration card to the Clerk of this court and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that respondent is hereby forbidden to counsel or advise or prepare legal documents for others or in any manner perform such services.

IT IS FURTHER ORDERED that respondent is hereby divested of each, any and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

IT IS FURTHER ORDERED that respondent surrender forthwith respondent's certificate of admission to practice law and attorney registration card to the Clerk of this court and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that respondent shall complete one credit hour of continuing legal education for each month, or portion of a month of the suspension. As part of the total credit hours of continuing legal education required by this order, respondent shall complete one credit hour of instruction related to ethics and professional responsibility, including instruction on substance abuse, for each six months, or portion of six months, of the suspension.

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7) and this court orders respondent reinstated.

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;

3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;

5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and

7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

IT IS FURTHER ORDERED that respondent shall keep the Clerk of this court and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(6)(H), the Clerk of this court send certified copies of this order to those persons or organizations named in Gov.Bar R. V(8)(D)(1), and that publication be made as required under Gov.Bar R. X(6)(H).

In re Report of the Commission : 1995 TERM  
on Continuing Legal Education. :  
: To wit: September  
21, 1995

Charles Edward Carter  
(#0032564),  
Respondent.

O R D E R

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1992-1993 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of \$570 for noncompliance in the 1992-1993 reporting period. Furthermore, the commission's report recommended that the respondent be suspended from the practice of law pursuant to Gov.Bar R.

X(5)(A)(4), for failure to pay a previous court-ordered sanction for noncompliance in a previous reporting period in addition to noncompliance in the 1992-1993 reporting period. The commission further recommended that, if the prior court ordered sanction was paid before the court issued an order of suspension, the recommended sanction would be modified to a monetary sanction only for the second instance of noncompliance. On March 24, 1995, this court issued to the respondent an order to show cause why the commission's recommendation should not be adopted and an order so entered against the respondent. On June 1, 1995, the commission filed amendments to its recommendations. The commission recommended that the above-named respondent be suspended from the practice of law, regardless of the payment of a prior court ordered sanction, for violating Gov.Bar. R. X for the third consecutive reporting period, and for continuous and ongoing noncompliance with Gov.Bar. R. X during the last three reporting periods. On June 15, 1995, this court issued a show cause order to respondent and respondent filed objections to the commission's amended recommendation. Upon consideration thereof,

IT IS ORDERED by the court that the amended recommendation of the commission is adopted and respondent, Charles Edward Carter, is immediately suspended from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov. Bar R. X(5)(A)(4), until respondent is reinstated by order of this court pursuant to Gov.Bar R. X(7)

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall pay to the Commission on Continuing Legal Education, by certified check or money order, a sanction fee which is hereby imposed in the total amount of \$570.

IT IS FURTHER ORDERED that, payment of the sanction fee notwithstanding, respondent shall comply with the requirements imposed by Gov.Bar R. X for the 1992-1993 reporting period. See CLE Reg. 503.4.

It IS FURTHER ORDERED that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

IT IS FURTHER ORDERED that respondent is hereby forbidden to counsel or advise or prepare legal documents for others or in any manner perform such services.

IT IS FURTHER ORDERED that respondent is hereby divested of each, any and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

IT IS FURTHER ORDERED that respondent surrender forthwith respondent's certificate of admission to practice law and attorney registration card to the Clerk of this court and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that respondent shall complete one credit hour of continuing legal education for each month, or portion of a month of the suspension. As part of the total credit hours of continuing legal education required by this order, respondent shall complete one credit hour of instruction related to ethics and professional responsibility, including instruction on substance abuse, for each six months, or portion of six months, of the suspension.

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7) and this court orders respondent reinstated.

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;

3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;

5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and

7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

IT IS FURTHER ORDERED that respondent shall keep the Clerk of this court and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(6) (H), the Clerk of this court send certified copies of this order to those persons or organizations named in Gov.Bar R. V(8) (D) (1), and that publication be made as required under Gov.Bar R. X(6) (H).

In re Report of the Commission : 1995 TERM  
on Continuing Legal Education.

To Wit: September 21, 1995

Daniel Robert Davies :  
(#0023716), : O R D E R  
Respondent. :

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6) (A) (1) (b) and (A) (2) (d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1992-1993 reporting period.

On March 24, 1995, pursuant to Gov.Bar R. X(6) (B) (1), this court issued to the respondent an order to show cause why the recommended sanction should not be adopted by the court and an order so entered against the respondent. Respondent filed no objections to the commission's recommendation. On June 21, 1995, the commission filed an amended report recommending suspension on the ground that respondent had three consecutive periods of noncompliance. An order to show cause why the commission's recommendation should not be adopted by the court was

issued and respondent did not file objections. On July 6, 1995, the commission filed a second amended report recommending that its previous recommendation of suspension be stricken and that the court impose a monetary sanction only, in the amount of \$600. On consideration thereof,

IT IS ORDERED by the court that the second amended recommendation of the commission is adopted and, on or before October 23, 1995, respondent shall pay to the Commission on Continuing Legal Education, by certified check or money order, the imposed sanction in the total amount of \$600.

IT IS FURTHER ORDERED that the Clerk of the court shall record the respondent's status on the roll of attorneys as "NOT IN GOOD STANDING" until such time as the respondent has complied with this Order but that this Order shall not be considered a disciplinary order pursuant to Gov.Bar R. V or Gov.Bar R. X(6) (H).

IT IS FURTHER ORDERED that the Commission on Continuing Legal Education shall notify the Clerk of court when payment of the imposed sanction has been made by respondent.

IT IS FURTHER ORDERED that, payment of the sanction notwithstanding, respondent shall comply with the requirements imposed by Gov.Bar R. X for the 1992-1993 reporting period. See CLE Reg. 503.4.

In re Report of the Commission : 1995 TERM  
on Continuing Legal Education. :  
: To wit: September  
21, 1995

Scott Alan Hajost  
(#0032984),  
Respondent.

O R D E R

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6) (A) (1) (b) and (A) (2) (d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1992-1993 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of \$750 for noncompliance in the 1992-1993 reporting period. Furthermore, the commission's report recommended that the respondent be suspended from the practice of law pursuant to Gov.Bar R. X(5) (A) (4), for failure to pay a previous court-ordered sanction for noncompliance in a previous reporting period in addition to noncompliance in the 1992-1993 reporting period. The commission further recommended that, if the prior court ordered sanction was paid before the court issued an order of suspension, the recommended sanction would be modified to a monetary sanction only for the second instance of noncompliance. On March 24, 1995, this court issued to the respondent an order to show cause why the commission's recommendation should not be adopted and an order so entered against the respondent. On June 1, 1995, the commission filed amendments to its recommendations. The commission recommended that the above-named respondent be suspended from the practice of law, regardless of the payment of a prior court ordered sanction, for violating Gov.Bar. R. X for the third consecutive reporting period, and for continuous and ongoing noncompliance with Gov.Bar. R. X during the last three reporting periods. On June 15, 1995, this court issued a show cause order to respondent

and respondent filed objections to the commission's amended recommendation. Upon consideration thereof,

IT IS ORDERED by the court that the amended recommendation of the commission is adopted and respondent, Scott Alan Hajost, is immediately suspended from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4), until respondent is reinstated by order of this Court pursuant to Gov.Bar R. X(7)

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall pay to the Commission on Continuing Legal Education, by certified check or money order, a sanction fee which is hereby imposed in the total amount of \$750.

IT IS FURTHER ORDERED that, payment of the sanction fee notwithstanding, respondent shall comply with the requirements imposed by Gov.Bar R. X for the 1992-1993 reporting period. See CLE Reg. 503.4.

IT IS FURTHER ORDERED that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

IT IS FURTHER ORDERED that respondent is hereby forbidden to counsel or advise or prepare legal documents for others or in any manner perform such services.

IT IS FURTHER ORDERED that respondent is hereby divested of each, any and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

IT IS FURTHER ORDERED that respondent surrender forthwith respondent's certificate of admission to practice law and attorney registration card to the Clerk of this court and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that respondent shall complete one credit hour of continuing legal education for each month, or portion of a month of the suspension. As part of the total credit hours of continuing legal education required by this order, respondent shall complete one credit hour of instruction related to ethics and professional responsibility, including instruction on substance abuse, for each six months, or portion of six months, of the suspension.

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7), and this court orders respondent reinstated.

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;

3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification after the

effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;

5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and

7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

IT IS FURTHER ORDERED that respondent shall keep the Clerk of this court and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(6)(H), the Clerk of this court send certified copies of this order to those persons or organizations named in Gov.Bar R. V(8)(D)(1), and that publication be made as required under Gov.Bar R. X(6)(H).

In re Report of the Commission : 1995 TERM  
on Continuing Legal Education. :  
: To wit:

September 21, 1995  
James Jefferson Jr.  
(#0032871),  
R  
Respondent.

O R D E

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1992-1993 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of \$600 for noncompliance in the 1992-1993 reporting period. Furthermore, the commission's report recommended that the respondent be suspended from the practice of law pursuant to Gov.Bar R. X(5)(A)(4), for failure to pay a previous court-ordered sanction for noncompliance in a previous reporting period in addition to noncompliance in the 1992-1993 reporting period. On March 24, 1995, this court issued to the respondent an order to show cause why the commission's recommendation should not be adopted and an order so entered against the respondent. Respondent filed no objections to the commission's recommendation and this cause was considered by the court. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted and respondent, James Jefferson Jr., is immediately suspended from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X, Sec. 5, Div. (A)(4), until respondent is reinstated by order of this court pursuant to Gov.Bar R. X(7)

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall pay to the Commission on Continuing Legal Education, by certified check or money order, a sanction fee which is hereby imposed in the total amount of \$600.

IT IS FURTHER ORDERED that, payment of the sanction fee notwithstanding, respondent shall comply with the requirements imposed by Gov.Bar R. X for the 1992-1993 reporting period. See CLE Reg. 503.4.

It IS FURTHER ORDERED that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

IT IS FURTHER ORDERED that respondent is hereby forbidden to counsel or advise or prepare legal documents for others or in any manner perform such services.

IT IS FURTHER ORDERED that respondent is hereby divested of each, any and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

IT IS FURTHER ORDERED that respondent surrender forthwith respondent's certificate of admission to practice law and attorney registration card to the Clerk of this court and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that respondent shall complete one credit hour of continuing legal education for each month, or portion of a month of the suspension. As part of the total credit hours of continuing legal education required by this order, respondent shall complete one credit hour of instruction related to ethics and professional responsibility, including instruction on substance abuse, for each six months, or portion of six months, of the suspension.

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7) and this court orders respondent reinstated.

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;

3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;

5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and

7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

IT IS FURTHER ORDERED that respondent shall keep the Clerk of this court and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(6)(H), the clerk of this court send certified copies of this order to those persons or organizations named in Gov.Bar R. V(8)(D)(1), and that publication be made as required under Gov.Bar R. X(6)(H).

In re Report of the Commission : 1995 TERM  
on Continuing Legal Education. :

: To wit:

September 21, 1995

Norman B. Krone

(#0054299),

O R D E

R

Respondent.

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1992-1993 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of \$250 for noncompliance in the 1992-1993 reporting period. Furthermore, the commission's report recommended that the respondent be suspended from the practice of law pursuant to Gov.Bar R. X(5)(A)(4), for failure to pay a previous court ordered sanction for noncompliance in a previous reporting period in addition to noncompliance in the 1992-1993 reporting period. On March 24, 1995, this court issued to the respondent an order to show cause why the commission's recommendation should not be adopted and an order so entered against the respondent. Respondent filed no objections to the commission's recommendation and this cause was considered by the court. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted and respondent, Norman B. Krone, is immediately suspended from the practice of law pursuant to Gov. Bar R. X(6)(B)(3), and Gov. Bar R. X(5)(A)(4), until respondent is reinstated by order of this court pursuant to Gov.Bar R. X(7)

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall pay to the Commission on Continuing Legal Education, by certified check or money order, a sanction fee which is hereby imposed in the total amount of \$250.

IT IS FURTHER ORDERED that, payment of the sanction fee notwithstanding, respondent shall comply with the requirements imposed by Gov. Bar R. X for the 1992-1993 reporting period. See CLE Reg. 503.4.

It IS FURTHER ORDERED that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

IT IS FURTHER ORDERED that respondent is hereby forbidden to counsel or advise or prepare legal documents for others or in any manner perform such services.

IT IS FURTHER ORDERED that respondent is hereby divested of each, any and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

IT IS FURTHER ORDERED that respondent surrender forthwith respondent's certificate of admission to practice law and attorney registration card to the Clerk of this court and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that respondent shall complete one credit hour of continuing legal education for each month, or portion of a month of the suspension. As part of the total credit hours of continuing legal education required by this order, respondent shall complete one credit hour of instruction related to ethics and professional responsibility, including instruction on substance abuse, for each six months, or portion of six months, of the suspension.

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov. Bar R. X(7) and this court orders respondent reinstated.

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;

3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;

5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and

7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

IT IS FURTHER ORDERED that respondent shall keep the Clerk of this court and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(6) (H), the Clerk of this court send certified copies of this order to those persons or organizations named in Gov.Bar R. V(8) (D) (1), and that publication be made as required under Gov.Bar R. X(6) (H).

on Continuing Legal Education.

:

: To wit: September

21, 1995

Michael Douglas Lutes  
(#0023221),  
Respondent.

O R D E R

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1992-1993 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of \$650 for noncompliance in the 1992-1993 reporting period. Furthermore, the commission's report recommended that the respondent be suspended from the practice of law pursuant to Gov.Bar R. X(5)(A)(4), for failure to pay a previous court ordered sanction for noncompliance in a previous reporting period in addition to noncompliance in the 1992-1993 reporting period. The commission further recommended that, if the prior court ordered sanction was paid before the court issued an order of suspension, the recommended sanction would be modified to a monetary sanction only for the second instance of noncompliance. On March 24, 1995, this court issued to the respondent an order to show cause why the Commission's recommendation should not be adopted and an order so entered against the respondent. On June 1, 1995, the commission filed amendments to its recommendations. The commission recommended that the above-named respondent be suspended from the practice of law, regardless of the payment of a prior court ordered sanction, for violating Gov.Bar. R. X for the third consecutive reporting period, and for continuous and ongoing noncompliance with Gov.Bar. R. X during the last three reporting periods. On June 15, 1995, this court issued a show cause order to respondent and respondent filed objections to the commission's amended recommendation. Upon consideration thereof,

IT IS ORDERED by the court that the amended recommendation of the Commission is adopted and respondent, Michael Douglas Lutes, is immediately suspended from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4), until respondent is reinstated by order of this Court pursuant to Gov.Bar R. X(7)

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall pay to the Commission on Continuing Legal Education, by certified check or money order, a sanction fee which is hereby imposed in the total amount of \$650.

IT IS FURTHER ORDERED that, payment of the sanction fee notwithstanding, respondent shall comply with the requirements imposed by Gov.Bar R. X for the 1992-1993 reporting period. See CLE Reg. 503.4.

It IS FURTHER ORDERED that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

IT IS FURTHER ORDERED that respondent is hereby forbidden to counsel or advise or prepare legal documents for others or in any manner perform such services.

IT IS FURTHER ORDERED that respondent is hereby divested of each, any and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

IT IS FURTHER ORDERED that respondent surrender forthwith respondent's certificate of admission to practice law and attorney registration card to the Clerk of this court and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that respondent shall complete one credit hour of continuing legal education for each month, or portion of a month of the suspension. As part of the total credit hours of continuing legal education required by this order, respondent shall complete one credit hour of instruction related to ethics and professional responsibility, including instruction on substance abuse, for each six months, or portion of six months, of the suspension.

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7), and this court orders respondent reinstated.

IT IS FURTHER ORDERED that on or before October 23, 1995, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;

3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;

5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and

7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

IT IS FURTHER ORDERED that respondent shall keep the Clerk of this court and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(6) (H), the Clerk of this court send certified copies of this order to those persons or organizations named in Gov.Bar R. V(8) (D) (1), and that publication be made as required under Gov.Bar R. X(6) (H).

