

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY  
July 17, 1996

DISCIPLINARY DOCKET

In Re:

DISCIPLINARY COUNSEL	:	Case No. 96-283
RELATOR,	:	
V.	:	
DEBORAH P. O'NEILL	:	
RESPONDENT.	:	ENTRY AND DECISION

Respondent Judge O'Neill has moved for dismissal pursuant to Civ.R. 41(B)(2).

On a motion for dismissal pursuant to Rule 41, after the completion of the Plaintiff's (relator) evidence, the Court, or in this case, the Commission, as the trier of facts, may determine the facts and render judgment.

The Commission has fully considered the motions, and has carefully considered the evidence, law, the Rules for the Government of the Judiciary of Ohio, and the Code of Judicial Conduct.

Pursuant to the Rules for the Government of the Judiciary of Ohio, the Commission determines by unanimous vote that grounds for removal or suspension as alleged in the complaint have not been established by clear and convincing evidence.

The motion to dismiss pursuant to Civ.R. 41(B)(2) as it relates to failure of proof therefore is granted, effective July 16, 1996.

The remaining two motions to dismiss thereby are rendered moot.

Commission commends counsel for both sides for their professionalism and their excellent preparation and presentation here.

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/s/Judge Ann Marie Tracey, Chair  
/s/Judge James A. Brogan

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/s/Judge Denise A. Dartt  
/s/Judge Jon R. Spahr

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/s/Judge Leslie Spillane

ORDER

With the joint agreement of counsel, any exhibits in the possession of the Secretary and exhibits originally in the possession of the official court reporter shall be released by the Secretary to counsel for the respective parties.

BY ORDER OF THE COMMISSION

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/s/KEITH T. BARTLETT  
Secretary to the Commission

Copies:      Geoffrey Stern, Disciplinary Counsel  
              Alvin E. Mathews, Assistant Disciplinary Counsel  
              Samuel B. Weiner, Special Counsel for Relator  
              Judge Deborah P. O'Neill, Respondent  
              David C. Greer, Counsel for Respondent