

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

April 8, 2005

[Cite as *04/08/2005 Case Announcements*, 2005-Ohio-1647.]

MISCELLANEOUS ORDERS

The Supreme Court of Ohio has issued orders imposing sanctions upon sixty-five attorneys and judges for noncompliance with the provisions of Gov.Bar R. X and Gov.Jud.R. IV. The text of the entry imposing the sanction is reproduced below. This is followed by a list of the attorneys and judges who were sanctioned. The list includes each attorney's or judge's Attorney Registration Number; the county and state of residence and the county and state of the attorney's or judge's employer, as last registered with the Attorney Registration Section; and the amount of the sanction fee imposed by the Supreme Court.

In re Report of the Commission
On Continuing Legal Education.

[Attorney Name]
(#[Attorney Registration Number]),
Respondent.

O R D E R

[Filed April 8, 2005]

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 and judges, including the above-named respondent, for failure to comply with the applicable continuing legal education provisions of Gov.Bar R. X and Gov.Jud.R. IV for the 2002-2003 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of [sanction amount] for noncompliance in the

2002-2003 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 violation of 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 November 22, 2004, 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, [Attorney Name], 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, within 30 days of the date of this order, 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 [Sanction Amount].

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 2002-2003 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 attorney registration card to the Clerk of this court on or before 30 days from the date of this order, and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(3)(G), 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 Gov.Bar R. X(3)(G), respondent shall complete one credit hour of instruction related to professional conduct required by

Gov.Bar R. X(3)(A)(1), 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 (1) respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7); (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; (3) respondent complies with this and all other orders of the court; and (4) this court orders respondent reinstated.

IT IS FURTHER ORDERED that, within 30 days of the date of this order, 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, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

IT IS FURTHER ORDERED by the Court that the Clerk shall send this order by certified mail to the respondent at the address registered with the Attorney Registration Section under Gov.Bar R. VI; that, if this order is returned as undeliverable or unclaimed, the Clerk shall resend it by regular mail; and that service of this order in accordance with the foregoing shall be deemed effective service.

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).

<u>Attorney Name</u>	<u>Registration #</u>	<u>Residence</u>		<u>Employer</u>		<u>Sanction</u>
		<u>County</u>	<u>State</u>	<u>County</u>	<u>State</u>	<u>Amount</u>
Donald Lynn Groninger	0005036		TX		TX	\$750.00
Joseph Jeffrey Church	0006961	Cuyahoga	OH	Cuyahoga	OH	\$440.00
Timothy Voorhees Dix	0010300		CO		CO	\$750.00
Thomas Edward Fox, Jr.	0011895	Warren	OH	Warren	OH	\$660.00
Elliott Roy Eisner	0021712		NV		NV	\$750.00
Kenneth David Homer	0030870	Richland	OH	Richland	OH	\$750.00
Carl Allen Genberg	0031141		IL		IL	\$750.00
Daniel O'Connell Corrigan	0031432	Cuyahoga	OH			\$350.00
Peter Rodney Badger	0031605		VA		MD	\$750.00
Dale Anthony Brinker	0037325		KY		KY	\$390.00
Jeffrey Alan Ayres	0037961	Franklin	OH	Franklin	OH	\$600.00
Katherine Cobb Jones	0039659		IN		IN	\$750.00
George Edward Darmstatter, Jr.	0039977		GA		GA	\$750.00
Ruth Elizabeth Beshears	0052402	Franklin	OH	Franklin	OH	\$600.00
James Edward Baldwin	0059294	Warren	OH	Warren	OH	\$150.00
Joanne L. Barach	0059697	Portage	OH	Portage	OH	\$750.00
Thomas Grist	0062185	Portage	OH	Summit	OH	\$750.00
Bruce Elliott Hodge	0065460	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Carl James Gedeon	0065645		NY			\$750.00
Theodore Alexander Amata	0065658	Cuyahoga	OH	Cuyahoga	OH	\$270.00
Shelly L. McGee	0066931		VA		DC	\$350.00
Clement Leo Bezold, Jr.	0067525		KY		KY	\$55.00
Cynthia Louise Janeway	0068617		TX		TX	\$750.00
Paula Jean Chmura	0070175	Erie	OH	Erie	OH	\$750.00
Andrew David Bowers	0071486	Franklin	OH	Franklin	OH	\$240.00

In re Report of the Commission
on Continuing Legal Education.

ORDER

[Attorney Name]
(#[Attorney Registration Number]),
Respondent.

[Filed April 8, 2005]

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 and judges, including the above-named respondent, for failure to comply with the applicable continuing legal education provisions of Gov.Bar R. X and Gov.Jud.R. IV for the 2002-2003 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of [Sanction Amount] for noncompliance in the 2002-2003 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 2002-2003 reporting period. On November 22, 2004, 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, [Attorney Name], 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, within 30 days of the date of this order, 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 [Sanction Amount].

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 2002-2003 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 attorney registration card to the Clerk of this court on or before 30 days from the date of this order and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(3)(G), 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 Gov.Bar R. X(3)(G), respondent shall complete one credit hour of instruction related to professional conduct required by Gov.Bar R. X(3)(A)(1), 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 (1) respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7); (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; (3) respondent complies with this and all other orders of the court; and (4) this court orders respondent reinstated.

IT IS FURTHER ORDERED that, within 30 days of the date of this order, 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, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

IT IS FURTHER ORDERED by the Court that the Clerk shall send this order by certified mail to the respondent at the address registered with the Attorney Registration Section under Gov.Bar R. VI; that, if this order is returned as undeliverable or unclaimed, the Clerk shall resend it by regular mail; and that service of this order in accordance with the foregoing shall be deemed effective service.

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).

<u>Attorney Name</u>	<u>Registration #</u>	<u>Residence</u>		<u>Employer</u>		<u>Sanction Amount</u>
		<u>County</u>	<u>State</u>	<u>County</u>	<u>State</u>	
Richard Roman Huber	0000087	Erie	OH	Erie	OH	\$750.00
S. Martin Kirsh	0007868	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Charles Paul Braman	0008422	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Patricia Christine Leonard	0009235		IN			\$750.00
Thomas Donaldson Johnston	0012729	Stark	OH	Stark	OH	\$440.00
Matthew Gordon Harris	0019206	Lorain	OH	Lorain	OH	\$750.00
Charles Clark Griesinger	0020109	Medina	OH	Medina	OH	\$750.00
Harris Taylor Booker, Jr.	0021603		PA		PA	\$750.00
Gilbert Joseph Gradisar	0021782	Franklin	OH	Franklin	OH	\$750.00
Drew Stewart Diehl	0024802	Hamilton	OH	Hamilton	OH	\$750.00
Robert Charles Lauber	0025035	Fulton	OH	Fulton	OH	\$750.00
Harald Franklin Craig, III	0027586	Franklin	OH	Franklin	OH	\$750.00
Leslie Gilman Johnson	0031886	Hocking	OH	Hocking	OH	\$750.00
Louis Carl Fontana	0034674	Hamilton	OH	Hamilton	OH	\$750.00
Ivan Gerald Haggins	0036839	Cuyahoga	OH	Cuyahoga	OH	\$850.00
Dane Arlen Bonecutter	0037237		SC	Richland	OH	\$750.00

Stephen Patrick Deffet	0039384	Franklin	OH	Franklin	OH	\$750.00
Sean Paul Finneran	0039673	Franklin	OH	Franklin	OH	\$150.00
John Douglas Karlovec	0039968	Cuyahoga	OH	Cuyahoga	OH	\$650.00
Margaret Golden Bell	0040179		AZ		AZ	\$750.00
William G. Krupar	0040201		MI		MI	\$750.00
Ronald Dennis James	0041120	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Joseph Paul Albright, Jr.	0043596		WV		WV	\$610.00
Julia Suzanne Kennedy	0046712		IN		IN	\$750.00
Shelly Baber Jones	0047587	Hamilton	OH	Hamilton	OH	\$750.00
Frankie Donnell Hoskey	0048213		VA		DC	\$750.00
James Keith Butler	0059037		OK		OK	\$750.00
Candie Lynn Cornett	0059489	Butler	OH	Butler	OH	\$750.00
Cynthia June Harris	0059755	Franklin	OH	Franklin	OH	\$680.00
Kathleen S. Pfeifer	0064504	Franklin	OH	Franklin	OH	\$750.00
Sheila Ann Haas	0064540		KY			\$750.00
John Howard Fenton	0064622	Hamilton	OH	Hamilton	OH	\$360.00
Daniel Patrick Hercl	0068377		FL	Franklin	OH	\$750.00
Timothy Michael Kennedy	0068813	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Marc Alexander Lehotsky	0068814	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Jeffrey C. Seaman	0069265		KY	Hamilton	OH	\$540.00
Gregory Rodwell Hulse	0070461		MN			\$750.00
Andrew Todd Leslie	0071755	Franklin	OH			\$750.00
Joshua Dov Goldberg	0071781	Hamilton	OH	Hamilton	OH	\$750.00

In re Report of the Commission
on Continuing Legal Education.

ORDER

[Attorney Name]
(#[Attorney Registration Number])
Respondent.

[Filed April 8, 2005]

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 and judges, including the above-named respondent, for failure to comply with the applicable continuing legal education provisions of Gov.Bar R. X and Gov.Jud.R. IV for the 2002-2003 reporting period.

The commission's report recommended imposition of a suspension from the practice of law pursuant to Gov.Bar R. X(5)(B), for failure to complete a New Lawyer Training Program as required by Gov.Bar R. X(3)(H), in the 2002-2003 reporting period. On November 22, 2004, 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, [Attorney Name], is immediately suspended from the practice of law pursuant Gov.Bar R. X(5)(B) until respondent is reinstated by order of this Court pursuant to Gov.Bar R. X(7).

IT IS FURTHER ORDERED that respondent shall comply with the requirements imposed by Gov.Bar R. X for the 2002-2003 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 attorney registration card to the Clerk of this court on or before 30 days from the date of this order, and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(3)(G), 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 Gov.Bar R. X(3)(G), respondent shall complete one credit hour of instruction related to professional conduct required by Gov.Bar R. X(3)(A)(1), 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 (1) respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7); (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; (3) respondent complies with this and all other orders of the court; and (4) this court orders respondent reinstated.

IT IS FURTHER ORDERED that, within 30 days of the date of this order, 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, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

IT IS FURTHER ORDERED by the court that the Clerk shall send this order by certified mail to the address registered with the Attorney Registration Section under Gov.Bar R. VI; that, if this order is returned as undeliverable or unclaimed, the Clerk shall resend it by regular mail; and that service of this order in accordance with the foregoing shall be deemed effective service.

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).

<u>Attorney Name</u>	<u>Registration #</u>	<u>Residence</u> <u>County</u> <u>State</u>	<u>Employer</u> <u>County</u> <u>State</u>	<u>Sanction</u> <u>Amount</u>
Brian Patrice Higgins	0075652	Cuyahoga OH	Cuyahoga OH	\$0.00

MEDIATION REFERRALS

The following case has been returned to the regular docket pursuant to S.Ct.Prac.R. XIV(6)(E):

2005-0068. State ex rel. Cincinnati Enquirer v. Adcock.
Hamilton App. No. C-040064, 2004-Ohio-7130.