

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

September 21, 2006

[Cite as *09/21/2006 Case Announcements, 2006-Ohio-4877.*]

MOTION AND PROCEDURAL RULINGS

2006-0445. RX Bedford Investors, LLC v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-R-2564. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the parties' joint motion to remand this cause to the Board of Tax Appeals,

It is ordered by the court that the motion is granted and this cause is remanded to the Board of Tax Appeals to implement the settlement agreement of the parties.

2006-0448. RX Bedford Investors, LLC v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, No. 2002-R-2509. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the parties' joint motion to remand this cause to the Board of Tax Appeals,

It is ordered by the court that the motion is granted and this cause is remanded to the Board of Tax Appeals to implement the settlement agreement of the parties.

2006-1366. State v. Short.

Montgomery C.P. No. 2004CR02635. This cause is pending as a death penalty appeal from the Court of Common Pleas for Montgomery County. Upon consideration of appellant's motion for an extension of time to transmit the record,

It is ordered by the court that the motion is granted and the time for transmitting the record is extended to November 17, 2006.

DISCIPLINARY CASES

2005-0104. In re Resignation of Swartz.

It is ordered by this court, sua sponte, that Albert Frederick Swartz, Attorney Registration No. 0016031, last known business address in Warren, Ohio, is found in contempt for failure to comply with this court's order of October 4, 2005, to wit: Failure to file an affidavit of compliance on or before November 3, 2005.

2005-0283. Disciplinary Counsel v. Stern.

It is ordered by this court, sua sponte, that Ira Stern, Attorney Registration No. 0028725, last known business address in Columbus, Ohio, is found in contempt for failure to comply with this court's order of September 28, 2005, to wit: Failure to surrender his Certificate of Admission and file an affidavit of compliance on or before October 28, 2005, and failure to pay board costs in the amount of \$26.24, on or before December 27, 2005.

2005-0349. Disciplinary Counsel v. Wheatley.

On application for reinstatement of Myron Daniel Wheatley, Attorney Registration No. 0038584. Application granted and respondent is reinstated to the practice of law in Ohio.

2005-0719. Disciplinary Counsel v. Sandoval.

It is ordered by this court, sua sponte, that Jesus C. Sandoval, Attorney Registration No. 0038407, last known business address in El Paso, Texas, is found in contempt for failure to comply with this court's order of June 24, 2005, to wit: Failure to file an affidavit of compliance on or before July 25, 2005.

2005-0835. Trumbull Cty. Bar Assn. v. Costanzo.

It is ordered by this court, sua sponte, that Maridee Costanzo, Attorney Registration No. 0058688, last known business address in Warren, Ohio, is found in contempt for failure to comply with this court's order of May 26, 2005, to wit: Failure to file an affidavit of compliance on or before June 27, 2005.

2005-1115. Columbus Bar Assn. v. Winkfield.

It is ordered by this court, sua sponte, that Lawrence E. Winkfield, Attorney Registration No. 0034254, last known business address in Westerville, Ohio, is found in contempt for failure to comply with this court's order of January 11, 2006, to wit: Failure to file an affidavit of compliance on or before February 10, 2006.

2005-1154. Muskingum Cty. Certified Grievance Commt. v. Greenberger.

On March 8, 2006, this court suspended respondent, Bruce L. Greenberger, for two years with six months stayed on the condition that respondent repay, within thirty days of the date of the order, \$400 in fees and \$1,345 in costs to Evans, \$400 in

fees to Steed, \$5,750 in fees to Higgins, \$575 in fees to Guenther, and \$700 in fees to Tullius, all with interest at the judgment rate. Respondent was further ordered to file proof of the restitution with this court, to file an affidavit of compliance, and to pay board costs in the amount of \$1,865.20. On August 11, 2006, this court issued an order to show cause why he should not be held in contempt for failing to comply with the court's order of suspension. On August 28, 2006, respondent filed a response to the show cause order. Upon consideration thereof,

It is ordered that respondent, Bruce L. Greenberger, Attorney Registration No. 0023820, last known address in Mason, Ohio, is found in contempt for failure to comply with the court's March 8, 2006, order. It is further ordered that the previously imposed six-month stay is revoked, and respondent shall serve the entire two year suspension imposed on March 8, 2006, as a period of actual suspension.

It is further ordered that respondent shall not be reinstated to the practice of law in Ohio until (1) respondent files proof of restitution with this court and pays all costs imposed in this matter, (2) respondent complies with the requirements for reinstatement set forth in the Supreme Court Rules for the Government of the Bar of Ohio, (3) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, (4) respondent complies with this and all other orders of the court, and (5) this court orders respondent reinstated.

It is further ordered, sua sponte, that service shall be deemed made on respondent by sending this order, and all other orders in this case, by certified mail to the most recent address respondent has given to the Attorney Registration Section.

2005-1614. In re Resignation of Teamor.

It is ordered by this court, sua sponte, that Ricardo Benjamin Teamor, Attorney Registration No. 0010651, last known business address in Cleveland, Ohio, is found in contempt for failure to comply with this court's order of October 27, 2005, to wit: Failure to surrender his Certificate of Admission and file an affidavit of compliance on or before November 28, 2005.

2005-1834. In re Theisler.

It is ordered by this court, sua sponte, that Charles Walter Theisler, Attorney Registration No. 0062582, last known business address in Austintown, Ohio, is found in contempt for failure to comply with this court's order of October 27, 2005, to wit: Failure to file an affidavit of compliance on or before November 28, 2005.

MISCELLANEOUS DISMISSALS

2006-0930. State ex rel. Goodyear Tire & Rubber Co. v. Salmons.

Franklin App. No. 05AP-116, 2006-Ohio-1526. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

MISCELLANEOUS ORDERS

2004-2107. Disciplinary Counsel v. Goetz.

It is ordered by this court, sua sponte, that William G. Goetz is found in contempt for failure to comply with this court's order of November 16, 2005, to wit: Failure to pay the civil penalty in the amount of \$30,000.00 on or before December 16, 2005.

2004-2111. Dayton Bar Assn. v. Addison.

It is ordered by this court, sua sponte, that Clarence W. Addison II is found in contempt for failure to comply with this court's order of November 30, 2005, to wit: Failure to pay a civil penalty in the amount of \$10,000.00 on or before December 30, 2005.

2004-2145. Cleveland Bar Assn. v. Para-Legals, Inc.

It is ordered by this court, sua sponte, that Para-Legals, Inc., et al., is found in contempt for failure to comply with this court's order of November 2, 2005, to wit: Failure to pay board costs in the amount of \$395.90 on or before January 31, 2006.

2004-2150. Ohio State Bar Assn. v. Allen.

It is ordered by this court, sua sponte, that John Allen is found in contempt for failure to comply with this court's order of December 7, 2005, to wit: Failure to pay a civil penalty in the amount of \$40,000.00 on or before January 6, 2006, and failure to pay board costs in the amount of \$1,814.11 on or before March 7, 2006.

MEDIATION REFERRALS

The following case has been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

2006-1693. State ex rel. Bray v. Hamilton Fixture Co.

Franklin App. No. 05AP-821, 2006-Ohio-4459.