

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

October 13, 2006

[Cite as *10/13/2006 Case Announcements*, 2006-Ohio-5324.]

MOTION AND PROCEDURAL RULINGS

2006-0896. Barth v. Barth.

Cuyahoga App. No. 86473, 2006-Ohio-1094. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Cuyahoga County. Upon consideration of the motion of Guardian ad Litem to expedite briefing, hearing and disposition,

It is ordered by the court that the motion is granted. Appellant shall file a merit brief within ten days of the date of this entry. Appellee shall file a merit brief within twenty days of the filing of appellant's brief, and appellant may file a reply brief within ten days of the filing of appellee's brief. No extensions of time shall be permitted.

Lundberg Stratton and Lanzinger, JJ., dissent.

DISCIPLINARY CASES

2101-1563 . Columbus Bar Assn. v. Halliburton Cohen.

This matter is pending before the court upon respondent's July 17, 2006, motion to strike the amended report of the monitoring attorney. Upon consideration thereof,

It is ordered by the court that relator, Columbus Bar Association, show cause within 20 days of the date of this order why respondent's motion to strike should not be granted.

2006-1375. Trumbull County Bar Assn. v. Gray.

This cause came on for further consideration upon the filing by respondent, James E. Gray, of a motion to dissolve the court's August 21, 2006 order of an interim remedial suspension. Relator filed a memo opposing the motion. Upon consideration thereof,

It is ordered by the court that the motion is denied.

2006-1779. In re Ruffin.

On September 22, 2006, and pursuant to Gov.Bar R. V(5)(A), the Secretary of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio submitted to this court a certified copy of a determination of default of a child support order by Sean P. Ruffin, an attorney licensed to practice law in the state of Ohio.

Upon consideration thereof and pursuant to Gov.Bar R.V(5)(A)(4), it is ordered and decreed that Sean P. Ruffin, Attorney Registration No. 0069002, last known business address in Akron, Ohio, is suspended from the practice of law for an interim period, effective as of the date of this entry.

It is further ordered that this matter be, and hereby is, referred to the Toledo Bar Association for investigation and commencement of disciplinary proceedings.

It is further ordered that Sean P. Ruffin immediately cease and desist from the practice of law in any form and hereby is forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

It is further ordered that effective immediately, respondent is forbidden to counsel or advise or prepare legal instruments for others or in any manner perform legal services for others.

It is further ordered that respondent is 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 shall not be reinstated to the practice of law until (1) the Board of Commissioners on Grievances and Discipline files in accordance with Gov.Bar R. V(5)(D)(1)(b) with the Supreme Court a certified copy of a judgment entry reversing the determination of default under a child support order, or it files in accordance with Gov.Bar R. V(5)(D)(1)(c) with the Supreme Court a notice from a court or child support enforcement agency that respondent is no longer in default under a child support order or is subject to a withholding or deduction notice or a new or modified child support order to collect current support or any arrearage due under the child support order that was in default and is complying with that notice or order, and (2) this court orders respondent reinstated to the practice of law.

It is further ordered that respondent shall keep the Clerk, the Toledo Bar Association, 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, 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 office.

It is further ordered that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.

MISCELLANEOUS DISMISSALS

2006-1548. State ex rel. Coffman v. Helmick.

Hamilton App. No. C-060500. This cause is pending before the court as an appeal from the Court of Appeals for Hamilton County. It appears from the records of this court that appellant has not filed a merit brief, due October 10, 2006, 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 is dismissed sua sponte.

MISCELLANEOUS ORDERS

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

William Shane McCarthy
(#0071513)
Respondent.

O R D E R

Case No. CLE-05-71513

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 2003-2004 reporting period.

On July 11, 2006, pursuant to Gov.Bar R. X(6)(B)(3), this court entered an order adopting the commission's recommendation related to the 2003-2004

reporting period, suspending the respondent from the practice of law, and imposing a fee sanction upon the respondent.

On September 15, 2006, the commission filed a motion to modify sanction, requesting that the order of July 11, 2006, pertaining to the above-named respondent be modified to order a monetary sanction only. Upon consideration thereof,

IT IS ORDERED by the court that the motion to modify sanction is granted.

IT IS FURTHER ORDERED by the court that the entry of July 11, 2006, is modified as follows: respondent's suspension from the practice of law is vacated and the monetary sanction of \$750.00 remains. The court acknowledges that the sanction has been paid by respondent.