

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

November 29, 2012

[Cite as *11/29/2012 Case Announcements*, 2012-Ohio-5492.]

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## MERIT DECISIONS WITH OPINIONS

**2011-1664. State v. Moore, Slip Opinion No. 2012-Ohio-5479.**

Cuyahoga App. Nos. 96111 and 96112, 2011-Ohio-4246. Judgment affirmed.

O'Connor, C.J., and Pfeifer, Lundberg Stratton, O'Donnell, Cupp, and McGee Brown, JJ., concur.

Lanzinger, J., dissents.

**2012-0316. Columbus Bar Assn. v. Stubbs, Slip Opinion No. 2012-Ohio-5481.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 11-010. SaKeya MonCheree Stubbs, Attorney Registration No. 0071309, is permanently disbarred from the practice of law in Ohio.

O'Connor, C.J., and Pfeifer, Lundberg Stratton, O'Donnell, Lanzinger, Cupp, and McGee Brown, JJ., concur.

**2012-0429. In re Application of Wilson, Slip Opinion No. 2012-Ohio-5480.**

On Report by the Board of Commissioners on Character and Fitness, No. 498. Eric Wilson's current application to take the bar examination is disapproved, but he may apply to take the July 2014 bar examination.

O'Connor, C.J., and Pfeifer, Lundberg Stratton, O'Donnell, Lanzinger, Cupp, and McGee Brown, JJ., concur.

**2012-0691. Trumbull Cty. Bar Assn. v. Large, Slip Opinion No. 2012-Ohio-5482.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 11-027. John Harold Large, Attorney Registration No. 0068732, is suspended

from the practice of law in Ohio for two years, with the final six months stayed on conditions.

O'Connor, C.J., and Pfeifer, Lundberg Stratton, O'Donnell, Lanzinger, Cupp, and McGee Brown, JJ., concur.

**2012-1001. Disciplinary Counsel v. Meyer, Slip Opinion No. 2012-Ohio-5487.**

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 11-084. Rebecca Christine Meyer, f.k.a. Gee, Attorney Registration No. 0076007, is suspended from the practice of law in Ohio for 18 months, with six months stayed on condition.

O'Connor, C.J., and Pfeifer, Lundberg Stratton, O'Donnell, Cupp, and McGee Brown, JJ., concur.

Lanzinger, J., dissents and would impose an 18-month suspension with 12 months stayed.

## **MOTION AND PROCEDURAL RULINGS**

**2010-0256 In re McClurg.**

Hamilton App. No. C081233. This cause came on for further consideration upon the filing of appellant's motion for leave to redact personal identifying information from the court filings. It is ordered by the court that the motion is denied.

**2011-2087. Toledo Pub. Schools Bd. of Edn. v. Lucas Cty. Bd. of Revision.**

Board of Tax Appeals, Nos. 2008-Q-1721 and 2008-Q-1791. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the joint motion to remand to the Board of Tax Appeals, it is ordered by the court that the motion is granted, and this case is remanded to the Board of Tax Appeals so that the board may take further action as appropriate.

It is further ordered that a mandate be sent to the Board of Tax Appeals by certifying a copy of this judgment entry and filing it with the Board of Tax Appeals.

**2012-0931. State v. Henderson.**

Cuyahoga App. No. 95655, 2012-Ohio-1040. This cause came on for further consideration upon appellant's filing of a motion to correct oversight or admission in the records and a motion in arrest of judgment. It is ordered by the court that the motions are denied.

It is further ordered by the court that appellant is prohibited from filing any additional documents in this case, or any other case, without seeking leave of this court pursuant to S.Ct.Prac.R. 14.5(B).

**2012-1504. Bank of Am., N.A. v. Davidson.**

Clermont App. No. CA2012-03-024. This cause came on for further consideration upon appellant's motion to strike memorandum in response. It is ordered by the court that the motion is denied as moot.

**2012-1677. In re Complaint of K&D Group v. Cleveland Thermal Steam Distrib., L.L.C.**

Public Utilities Commission, No. 11-898-HT-CSS. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio.

Upon consideration of Cleveland Thermal Steam Distribution, L.L.C.'s motion for leave to intervene as appellees and appellant's motion to amend the case caption, it is ordered by the court that the motions are granted. Appellant shall file an amended notice of appeal within ten days of the date of this entry.

**2012-1725. In re D.T.**

Summit App. No. 26413. This cause is pending before the court as an appeal involving termination of parental rights. On October 18, 2012, appellant filed a notice that a motion to certify a conflict was pending in the court of appeals, and pursuant to S.Ct.Prac.R. 4.4(A)(4), this court stayed consideration of the jurisdictional memoranda filed in this appeal.

Whereas appellant has neither notified this court that the court of appeals determined that a conflict does not exist as provided by S.Ct.Prac.R. 4.4(B), nor filed a copy of the court of appeals' order certifying the existence of a conflict as provided by S.Ct.Prac.R. 4.4(C), it is ordered by the court, sua sponte, that appellant inform the court of the status of the motion to certify a conflict, in writing, within 14 days of the date of this entry, or this court shall proceed to consider the jurisdictional memoranda in this appeal pursuant to S.Ct.Prac.R. 3.6.

**2012-1743. Shaker Hts. ex rel. Cannon v. DeFranco.**

Cuyahoga App. No. 98063, 2012-Ohio-3965. This cause is pending before the court as a discretionary appeal and claimed appeal of right.

Upon consideration of the city of Oakwood's motion to strike the notice of appeal and memorandum in support of jurisdiction for lack of service, it is ordered by the court that the motion is denied. Appellee the city of Oakwood may file a memorandum in response no later than December 14, 2012.

## DISCIPLINARY CASES

### **2012-1973. In re Lawrence.**

On November 26, 2012, and pursuant to Gov.Bar R. V(5)(A)(3), the Secretary of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio certified to the Supreme Court a certified copy of a judgment entry of a felony conviction against Meredith Lynn Lawrence, 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 Meredith Lynn Lawrence, Attorney Registration No. 0029098, last known business address in Warsaw, Kentucky, 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 is referred to the disciplinary counsel for investigation and commencement of disciplinary proceedings.

It is further ordered that respondent immediately cease and desist from the practice of law in any form and that she 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 before entering into an employment, contractual, or consulting relationship with any attorney or law firm, respondent shall verify that the attorney or law firm has complied with the registration requirements of Gov.Bar R. V(8)(G)(3). If employed pursuant to Gov.Bar R. V(8)(G), respondent shall refrain from direct client contact except as provided in Gov.Bar R. V(8)(G)(1) and from receiving, disbursing, or otherwise handling any client trust funds or property.

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 the Supreme Court Rules for the Government of the Bar of Ohio, (2)

respondent complies with this and all other orders issued by this court, (3) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, and (4) this court orders respondent reinstated.

It is further ordered, sua sponte, by the court, that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered, sua sponte, by the court that if after the date of this order, the Clients' Security Fund awards any amount against respondent pursuant to Gov.Bar R. VIII(7)(F), respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award.

It is further ordered that on or before 30 days from 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 respondent's possession or control;
4. Notify opposing counsel or, in the absence of counsel, the adverse parties in pending litigation of respondent's disqualification to act as an attorney 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 such 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 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. All case documents are subject to Sup.R. 44 through 47, which govern access to court records.

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, to respondent's last known address.

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**

#### **2011-1193. State ex rel. Cosho, Inc. v. Indus. Comm.**

Franklin App. No. 10AP-141. 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.