

MAHONING COUNTY BAR ASSOCIATION v. THEISLER.

**[Cite as *Mahoning Cty. Bar Assn. v. Theisler*, 150 Ohio St.3d 1264,
2017-Ohio-4204.]**

(No. 2009-1541—Submitted June 7, 2017—Decided June 12, 2017.)

ON PETITION FOR REINSTATEMENT.

{¶ 1} This cause came on for further consideration upon the filing on August 1, 2016, of a petition for reinstatement by respondent, Charles Walter Theisler, Attorney Registration No. 0062582. In accordance with Gov.Bar R. V(25)(E), respondent's petition for reinstatement was referred to the Board of Professional Conduct. The board filed its final report in this court on April 10, 2017, recommending that respondent be reinstated to the practice of law in Ohio and that respondent be required to work with a law-practice monitor appointed by relator for a period of two years following reinstatement and his return to the active practice of law to ensure compliance with all aspects of the Rules of Professional Conduct. No objections to said final report were filed, and this cause was considered by the court.

{¶ 2} Upon consideration thereof, it is ordered by this court that the petition for reinstatement of respondent is granted and that respondent, Charles Walter Theisler, last known address in Austintown, Ohio, is reinstated to the practice of law in Ohio. It is further ordered that in accordance with Gov.Bar R. V(21), respondent shall serve two years of monitored probation.

{¶ 3} It is further ordered that on or before 30 days from the date of this order, relator shall file with the clerk of this court the name of the attorney who will serve as respondent's monitor, in accordance with Gov.Bar R. V(21)(A)(3). It is further ordered that at the end of respondent's probationary period, relator shall file

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with the clerk of this court a report indicating whether respondent, during the probationary period, complied with the terms of the probation.

{¶ 4} It is further ordered that at the end of the probationary period respondent may apply for termination of probation as provided in Gov.Bar R. V(21). It is further ordered that respondent's probation shall not be terminated until (1) respondent files an application for termination of probation in compliance with Gov.Bar R. V(21)(D), (2) respondent complies with this and all other orders issued by this court, (3) respondent complies with the Rules for the Government of the Bar of Ohio, (4) relator files with the clerk of this court a report indicating that respondent has complied with the terms of the probation, and (5) this court orders that the probation be terminated.

{¶ 5} It is further ordered by the court that respondent be taxed the costs of these proceedings in the amount of \$872.22, less the deposit of \$500, for a total balance due of \$372.22 payable, by cashier's check or money order, by respondent on or before 90 days from the date of this order. If costs are not paid on or before 90 days from the date of this order, interest at the rate of 10 percent per annum will accrue until costs are paid in full. It is further ordered that if costs are not paid in full on or before 90 days from the date of this order, the matter may be referred to the Attorney General for collection and respondent may be found in contempt and suspended until all costs and accrued interest are paid in full. It is further ordered that respondent is liable for all collection costs pursuant to R.C. 131.02 if the debt is certified to the Attorney General for collection.

{¶ 6} It is further ordered by the court that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded against respondent by the Lawyers' Fund for Client Protection pursuant to Gov.Bar R. VIII(7)(F). It is further ordered by the court that if after the date of this order, the Lawyers' Fund for Client Protection awards any amount against respondent

pursuant to Gov.Bar R. VIII(7)(F), respondent shall reimburse that amount to the Lawyers' Fund for Client Protection within 90 days of the notice of such award.

{¶ 7} It is further ordered that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(17)(D)(1) and that publication be made as provided for in Gov.Bar R. V(17)(D)(2).

O'CONNOR, C.J., and KENNEDY, FRENCH, O'NEILL, FISCHER, and DEWINE, JJ., concur.

O'DONNELL, J., dissents.
