

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

January 17, 2019

[Cite as *01/17/2019 Case Announcements*, 2019-Ohio-118.]

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## MOTION AND PROCEDURAL RULINGS

### **2018-1841. [Cantlin v. Smythe Cramer Co.](#)**

Cuyahoga App. No. 106697, 2018-Ohio-4607. On motions for admission pro hac vice of Wendy J. Wildung and Peter C. Magnuson. Motions granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission with the Supreme Court's Office of Attorney Services within 30 days.

## DISCIPLINARY CASES

### **2018-0527. [Disciplinary Counsel v. Bennett.](#)**

On certification of default. Daniel Lee Bennett, Attorney Registration No. 0071965, last known business address in Springfield, Ohio, indefinitely suspended from the practice of law.

### **2018-1435. [Disciplinary Counsel v. Scott.](#)**

On October 8, 2018, the Board of Professional Conduct filed a final report in the office of the clerk of this court pursuant to Gov.Bar R. V(16), in which the board accepted the agreement entered into by relator, disciplinary counsel, and respondent, Terrence Kensley Scott. The agreement set forth the misconduct and the agreed, recommended sanction of a six-month suspension from the practice of law, with the entire suspension stayed on the condition that respondent engage in no further misconduct. The board recommended that the agreement be accepted. The court issued an order waiving the issuance of a show-cause order, and this matter was submitted to the court on the report and record filed by the board.

Sua sponte, the recommended sanction is rejected. Pursuant to Gov.Bar R. V(17)(D), this cause is remanded to the Board of Professional Conduct for further proceedings, including consideration of a more severe sanction. Proceedings before this court in this case are stayed until further order of this court. Costs to abide final determination of the case.

**2018-1517. Disciplinary Counsel v. Sheppard.**

On October 22, 2018, relator, disciplinary counsel, filed with this court a certified copy of an order of the Supreme Court of Tennessee entered August 13, 2018, in *Board of Professional Responsibility of the Supreme Court of Tennessee v. Michael Gibbs Sheppard*, No. M2017-00804-SC-R3-BP, suspending respondent from the practice of law for 60 days. On October 25, 2018, this court ordered respondent to show cause why identical or comparable discipline should not be imposed in this state. Respondent filed a response, and relator filed a certified copy of the Supreme Court of Tennessee's reinstatement order. Sua sponte, cause dismissed.

O'Connor, C.J., and Fischer, J., dissent.

**2018-1579. Cleveland Metro. Bar Assn. v. Mariotti.**

On respondent's motion for leave to answer and request to terminate interim default suspension. Motion and request granted. This matter is remanded to the Board of Professional Conduct for further proceedings under Gov.Bar R. V(12). Respondent's suspension shall terminate upon the filing of respondent's answer with the board. Respondent shall not be reinstated to the practice of law until (1) respondent files with this court proof of the filing of the answer with the board, an affidavit of compliance as ordered by this court in its December 3, 2018 order, and proof of respondent's compliance with Gov.Bar R. X(13) and (2) this court orders respondent reinstated to the practice of law.

O'Connor, C.J., and Fischer, J., would deny respondent's request to terminate interim default suspension.

Donnelly, J., not participating.

**2018-1757. Cincinnati Bar Assn. v. Riggs-Horton.**

On December 10, 2018, the Board of Professional Conduct filed a final report in the office of the clerk of this court pursuant to Gov.Bar R. V(16), in which the board accepted the agreement entered into by relator, Cincinnati Bar Association, and respondent, Virginia Maria Riggs-Horton. The agreement set forth the misconduct and the agreed, recommended sanction of a six-month suspension from the practice of law, with the entire suspension stayed on the condition that respondent engage in no further misconduct. The board recommended that the

agreement be accepted. The court issued an order waiving the issuance of a show-cause order, and this matter was submitted to the court on the report and record filed by the board.

Sua sponte, the recommended sanction is rejected. Pursuant to Gov.Bar R. V(17)(D), this cause is remanded to the Board of Professional Conduct for further proceedings, including consideration of a more severe sanction. Proceedings before this court in this case are stayed until further order of this court. Costs to abide final determination of the case.

DeWine, J., dissents.

**2018-1790. In re Resignation of Tarullo.**

On application for retirement or resignation of Michael David Tarullo, Attorney Registration No. 0042296, last known business address in Crestwood, Kentucky. Resignation accepted with disciplinary action pending.