BEFORE THE BOARD OF PROFESSIONAL CONDUCT OF THE SUPREME COURT OF OHIO

In re:

Complaint against	**Case No. 2014-087**
Javier Horacio Armengau **Attorney Reg. No. 0069776**	**Findings of Fact, Conclusions of Law, and Recommendation of the Board of Professional Conduct on Remand**
Respondent	
Columbus Bar Association	
Relator	

OVERVIEW

{¶1} This matter was heard on July 18, 2025, before a panel consisting of Carolyn A. Taggart, Judge D. Chris Cook, and Patrick M. McLaughlin, panel chair. None of the panel members reside in the district from which the complaint arose or served as a member of the probable cause panel that reviewed the complaint pursuant to Gov.Bar R. V(11).

{¶2} Respondent was present at the hearing and appeared *pro se*. Holly N. Wolf and Michael S. Loughry appeared on behalf of Relator.

{¶3} This case is back before the Board on remand from the Court. On April 14, 2020, the Court concluded that the Board's report and recommendation of April 8, 2019, should be held in abeyance and that the proceedings be stayed "until all direct appeals of Armengau's convictions have concluded." *Columbus Bar Assn. v. Armengau*, 2020-Ohio-1421, ¶¶10, 15.

{¶4} The Court imposed an interim felony suspension on September 15, 2014, based on felony convictions on single counts of rape and kidnapping, two counts of gross sexual imposition, and four counts of sexual battery. *Id.* at ¶1. Respondent appealed to the Tenth District Court of Appeals which affirmed in part, reversed in part, and remanded the case to the trial court to

resentence Respondent on four counts. The Court declined to accept discretionary appeal from that judgment on January 31, 2018. *Id.* at ¶¶2, 4. At that point, Respondent's convictions were final, and the remanded portion dealt solely with the length of the sentence to be imposed on the felony counts on which he had been convicted. *Id.* at ¶14.

{¶5} The parties advised the Board that all appeals were concluded and the panel chair issued an Order on April 16, 2025, stating at paragraph 1, that "The direct appeals of Respondent's conviction are concluded and the stay order of April 14, 2020, is hereby lifted." After a delay of six years, Mr. Armengau's case is back before this panel.

{¶6} The panel chair conducted a telephone conference with the parties on April 16, 2025, wherein discussion centered on the scope of these proceedings. The panel is unaware of any precedent in which a remand to the Board has been predicated on the Court's determination that a Respondent has not exhausted all direct appeals.[1] Typically, in cases remanded to the Board after the filing of a report and recommendation, the Court directs the Board to consider additional mitigation evidence or reconsideration of the sanction. The Court's remand order did not provide additional instruction other than to stay the proceedings.

{¶7} In the Order of April 16, 2025, the panel chair outlined the scope of further proceedings on remand, as follows:

> [T]he parties shall not relitigate the Board's findings of fact and conclusions of law contained in the report and recommendation of April 8, 2019, as the

[1] In *Disciplinary Counsel v. Polizzi,* 2021-Ohio-1136, citing to Gov.Bar. R. V(18)(C) that "all direct appeals" must be concluded before a disciplinary case may be heard, the Court permitted the Board's report to be heard even though the disciplinary hearing occurred seven weeks prior to Polizzi's scheduled resentencing hearing and two months before he appealed his resentencing orders. *Id.* at note 1. The procedural posture between the instant case and *Polizzi*, that the disciplinary cases were not stayed pending sentencing-related appeals, are the same. The Court noted that Polizzi had not objected to the disciplinary panel proceeding nor, presumably, raised the issue before the Court. Armengau sought a stay before the hearing panel which was denied and raised the issue in his objections to the Board's report and recommendation.

> record was closed by the parties as they rested their respective cases before the panel, subject to the submission of post-hearing briefs on February 25, 2019. Any additional evidence offered by the parties at the hearing on remand shall be limited to supplementing the record as to aggravating and mitigating factors. Additionally, the parties may supplement the record with relevant case authority decided by the Supreme Court after the Board's April 8, 2019 report and recommendation.

2019 Board Report and Recommendation

{¶8} The Board's report of April 8, 2019, is incorporated by reference herein. One point deserves reference. Respondent sought to relitigate the facts of his criminal case and the decision of the court of appeals affirming the jury verdicts of guilty on nine counts (eight felony and one misdemeanor). After briefing by the parties, the panel chair issued an order prohibiting Respondent from relitigating his case as the "criminal conviction is conclusive proof and operates as an estoppel on a defendant attempting a second bite at the apple in a subsequent civil proceeding." Report ¶¶14-15. Moreover, relating to the interim suspension for a felony conviction, Gov.Bar R. V(18)(B) provides that a "certified copy of the entry of conviction of an offense…shall be conclusive evidence of the commission of that offense * * * against a judicial officer or an attorney based upon the conviction * * * * ." *Id.* ¶16.

{¶9} The panel recommended and the Board found the following aggravating factors: (1) prior disciplinary offense; (2) dishonest or selfish motive; (3) a pattern of misconduct; (4) multiple offenses; and (5) vulnerability of and harm to the two victims who were clients of Respondent. In contrast, the panel declined to apply two other aggravating factors advocated by Relator. Relator sought to impose a refusal to acknowledge the wrongful nature of his conduct and the submission of false statements as aggravating factors because Respondent continued to maintain his innocence. The panel deemed "it unwarranted to impose these aggravating factors on this record. If the criminal justice system were perfect, the aggravating factors could be applied.

But the criminal justice system, the best system anywhere, is nevertheless imperfect. We therefore decline to strip Respondent of *his belief* in his innocence and his right to stand on that belief in this proceeding without adverse impact." Report ¶¶47-48.

{¶10} In mitigation, Respondent called four witnesses who testified favorably to his character, diligence as a defense counsel, and dedication to the practice of law. While the panel gave "mitigating credence to the version of Respondent described by the four witnesses" the panel accorded the "conclusively established" eight felony and one misdemeanor convictions, primarily the rape and kidnapping convictions, as supreme. In further mitigation, Respondent was making restitution to former clients which was impacted by his suspension and subsequent incarceration. Lastly, in mitigation, other penalties have been imposed in the form of his criminal sentence. Report ¶¶45-46.

{¶11} The Board found that Respondent violated Prof.Cond.R. 8.4(b) and Prof.Cond.R. 8.4(h). *Id.* ¶39. The Board found Respondent's conduct to be sufficiently egregious to warrant a separate finding of a Rule 8.4(h) violation under *Disciplinary Counsel v. Bricker,* 2013-Ohio-3998, ¶21. Report ¶37. Sanctions were addressed in the report concluding that an attorney convicted of the rape and kidnapping of a vulnerable victim adult appropriately faces the sanction of disbarment. *Id.* ¶¶49-54.

2025 Hearing Evidence

{¶12} The parties entered into stipulations of fact and to nine stipulated exhibits, all supported by clear and convincing evidence. The Court issued an interim remedial suspension followed by an interim felony suspension which imposed multiple requirements upon Respondent. Stip. ¶¶1-3. Respondent's law license was suspended during the nine and one-half years of his incarceration. *Id.* ¶4.

{¶13} While incarcerated, Respondent performed a myriad of services to include: (1) helped inmates with their legal work; (2) assisted inmates in obtaining judicial release; (3) assisted at least two inmates with overturning a conviction; (4) assisted an inmate seeking to reverse an appellate court on a motion for new trial and petition for post-conviction relief; (5) assisted inmates with obtaining reduced sentences; (6) assisted inmates with obtaining visitation or phone privileges with their minor children; (7) assisted inmates with their parole plans; (8) assisted inmates with GED preparation, taught inmates Spanish, assisted institutional staff with interpretation, assisted inmates with writing letters to family members, and taught inmates how to do legal research. *Id.* ¶¶5-12. When assisting inmates, Respondent did not accept any form of payment. Hearing Tr. 30, 32.

{¶14} Respondent was released from prison on December 27, 2023. Hearing Tr. 39. When released from prison, Respondent formed Armengau Consulting Unlimited, LLC, which provides litigation support services to attorneys and provides pro bono services to individuals addicted to drugs. Respondent continues to operate this LLC as of the date of the hearing. Respondent's signature block for his LLC states that he provides the following services: "Legal Research, Writing, and Litigation Support." Stip. ¶¶13-17; Hearing Tr. 22. Respondent assists others by providing non-legal services for which he is not compensated. Hearing Tr. 22-23.

{¶15} A memorandum filed by Respondent on May 2, 2025, stated that he works for several attorneys doing research, writing, and providing assistance requested by currently licensed attorneys. Respondent's LinkedIn profile describes him as an "Attorney/Paralegal at Armengau Consulting Unlimited LLC." Stip. ¶¶18-19; Hearing Tr. 25. Respondent has no contracts with attorneys. An attorney will contact him and ask if he will prepare a brief or motion and if he agrees they "send me the entire file." Hearing Tr. 24. Respondent testified that the attorney uses his brief

or motion "as a rough draft as if a paralegal was preparing it in their own office." When he returns the file, Respondent gives the attorney a bill. Respondent does not work for non-attorneys. *Id.* Respondent bills by the hour at the rate of $75 per hour. Hearing Tr. 40-41.

{¶16} The Lawyers' Fund for Client Protection (formerly the Clients' Security Fund) has reimbursed funds lost by Respondent's former clients in the amount of $28,200. Respondent has reimbursed the Lawyers' Fund in the approximate amount of $3,335. Stip. ¶¶20-21; Hearing Tr. 25-27. Respondent continues to pay into the fund what he is able to provide. Hearing Tr. 35-36.

AGGRAVATION, MITIGATION, AND SANCTION

{¶17} From the outset, Relator alleged that Respondent ignored the Court's interim order to "stop practicing law or engage in legally related work while suspended." Relator's post-hearing brief at 5; Stip. ¶¶1-3. Specifically, Relator is focused on the "more direct violation of two Supreme Court orders that said: Do not counsel, do not advise, do not prepare legal documents." Hearing Tr. 59. Relator also advocates that Respondent's conduct since the 2019 hearing constitutes "new aggravating factors," to wit: 1) a dishonest or selfish motive; 2) a pattern of misconduct; 3) multiple offenses; and 4) a failure to make restitution. Relator's post-hearing brief at 8.

{¶18} The Court's September 15, 2014, interim felony suspension order forbids, in relevant part, the recipient from "appearing on behalf of another before any court, judge, commission, board, administrative agency, or other public authority." Stip. Ex. 2. There is no evidence that Respondent violated this provision.

{¶19} The interim felony suspension order also forbids the recipient "to counsel, advise, or prepare legal instruments for others or in any manner perform legal services for others." *Id.* There is no evidence that Respondent prepared legal instruments for others. During the years of Respondent's incarceration, according to the stipulations, he "helped" and "assisted" inmates in

several areas. Some of those areas, such as visitation or phone privileges, parole plans, GED preparation, writing letters, teaching Spanish, or how to do legal research in no way violate the interim order. Stip. ¶¶10-12; Hearing Tr. 38-39.

{¶20} Respondent stipulated and testified that he "assisted" inmates with their legal work, in obtaining judicial release, with overturning a conviction, to reverse an appellate decision, petition for new trial or post-conviction relief, and obtaining reduced sentences. Stip. ¶¶5-9. Respondent's testimony is consistent with the wording of the stipulations in that he "helped," "assisted," and "taught" inmates in these respective matters. Hearing Tr. 20-22. Beyond these descriptions, the record contains no direct evidence that Respondent did "counsel" or "advise" the inmates, none of whom were his client. The panel would have to speculate that "helped" and "assisted" is the same as "counsel" and "advise." We decline to speculate.

{¶21} The interim felony suspension order contains one other admonition: That Respondent is forbidden to "in any manner perform legal services for others." This is broad language and arguably encompasses some of the assistance that Respondent provided to other inmates. While a close call on this record, in consideration of the broad language "in any manner perform legal services," we concur that Respondent violated the interim felony suspension order while incarcerated. This constitutes an aggravating factor. The record does not support a finding that Respondent violated the interim orders post-prison. Respondent's LinkedIn reference to himself as an "Attorney/Paralegal" is false and misleading. It would be correct to say, "*Suspended* Attorney/Paralegal" or delete the word "Attorney." Hearing Tr. 52-54.

{¶22} The Court's interim remedial suspension and interim felony suspension orders (Stip. Ex. 1 and 2), require Respondent's compliance with Gov.Bar R. V(8)(G)(3) (now Gov.Bar R. V(23)(C)) requiring an attorney or law firm seeking to enter into a relationship with a suspended

attorney to register that relationship with the Office of Disciplinary Counsel. Relator advocates that Respondent provided no evidence "that the attorneys for which he performs research and writing services" have complied with former Gov.Bar R. V(8)(G). Relator's post-hearing brief at 7. This burden, however, does not fall upon Respondent as the rule places the burden of registration on the attorney engaging the suspended attorney. Moreover, in these proceedings, the burden to show non-compliance rests with the party bearing the burden of proof: The Relator. That burden is not met on this record.

{¶23} As to Relator's suggested "new aggravating factors" in ¶17 above, three of the four factors offered were found applicable by the Board in the 2019 report and recommendation. Specifically, aggravating factors: Dishonest or selfish motive, a pattern of misconduct, and multiple offences. Report ¶47. The final "new" suggested factor, a failure to make restitution, is not supported by the record. Respondent's unchallenged testimony is that he is "paying as much as I can to the Lawyer's Fund. I wrote Mrs. Marbley in writing and I told her that, rest assured, that even if I am disbarred, it will take a long time, but I am repaying that. I promised to do that." Hearing Tr. 35-36, and 26-27. Respondent made a payment of "a couple hundred dollars" in July 2025. Hearing Tr. 27. Considering that Respondent spent nearly ten years in prison it is understandable that he has refunded approximately only $3,335 of the $28,200 reimbursed by the Clients' Security Fund. Stip. ¶¶20-21. Indeed, the panel stands by the mitigation recommendation approved by the Board in 2019 that Respondent continues to make restitution. Report ¶46.

{¶24} As to "new" mitigation, the panel commends Respondent's conduct in rendering help and assistance to fellow inmates as outlined in ¶19 above. Post-prison, Respondent continues to provide thoughtful human services to "drug-dependent people" all without compensation.

Hearing Tr. 22-23, 41-42. Such conduct is commendable. The panel believes it rises to the level of mitigation.

{¶25} Relator continues to recommend disbarment for Respondent. Respondent advocates against disbarment. The 2019 Board report and recommendation, citing primarily to *Disciplinary Counsel v. Williams,* 2011-Ohio-5163, recommended disbarment. Williams was convicted on three counts of raping his seven-year-old nephew and one count of kidnapping with a sexual motivation. One of the rape convictions was vacated on appeal. Williams received a life sentence.

{¶26} Three women were the victims of the nine counts on which Respondent was convicted. First, a woman who was neither the client nor employee of Respondent, but rather the mother of an adult son client. The jury returned verdicts of guilty on one count of gross sexual imposition and one count of public indecency. Second, a woman who was a client in a criminal matter. The jury returned a guilty verdict on one count of gross sexual imposition. Third, a woman who was a client with respect to divorce and immigration matters who subsequently was hired by Respondent to perform office work to assist in paying her legal bills. With respect to this woman, both a client and an employee, the jury convicted Respondent on one count of rape, one count of kidnapping, and four counts of sexual battery. Report ¶¶42-44.

{¶27} At the time of the disciplinary hearing in 2019 the record reflected that Respondent had received a sentence of 13 years. The 2025 record does not contain evidence demonstrating what sentence Respondent received after years of appealing the sentence. The record does reflect that Respondent walked out of prison on December 27, 2023.

{¶28} The Board's 2019 report and recommendation on sanction is disbarment, premised primarily on the rape and kidnapping convictions relating to a vulnerable client victim. It was not

based upon the number of years of Respondent's sentence. "'[Disbarment] is intended to protect the public, the courts and the legal profession ***[T]he moral character of an attorney is at all times to be scrutinized for the purpose of [e]nsuring that protection.'" *Disciplinary Counsel v. Goodman,* 2024-Ohio-852, ¶33; citing to *Disciplinary Counsel v. Lawson,* 2011-Ohio-4673, ¶34, quoting *In re Disbarment of Lieberman,* 163 Ohio St. 35, 41 (1955).

{¶29} Both parties offered two cases as supplemental authority decided subsequent to the 2019 Board report and recommendation. Those are *Disciplinary Counsel v. Goodman,* 2024-Ohio-852, and *Disciplinary Counsel v. Polizzi,* 2021-Ohio-1136. Both cases support the Board's recommendation of disbarment.

{¶30} Polizzi engaged in inappropriate sexual relationships with two minor females while he was a teacher in their school. He pleaded guilty to one count of gross sexual imposition and three counts of sexual battery with respect to each victim. Polizzi was sentenced to just under 30 years in prison. *Polizzi,* ¶¶1, 5, 7. The parties stipulated, and the board found violations of Prof. Cond. R 8.4(b) and 8.4(h) which were adopted by the Court. *Id.* ¶15. Citing to *Williams,* ¶18, the Court "stated that permanent disbarment is the only appropriate sanction for an attorney convicted of raping a child."

{¶31} In drawing a line between sanction levels relating to sexual misconduct, the Court offered guidance, as follows: "The most significant distinction between disciplinary cases involving sexual misconduct that resulted in an indefinite suspension and those that resulted in permanent disbarment is that—like Polizzi—the attorneys who were disbarred were either convicted of gross sexual imposition or used force, the threat of force, or extreme forms of coercion to compel their victims to submit to their sexual demands." *Polizzi,* ¶30. The mitigating and aggravating factors in *Polizzi* and this case are comparable.

{¶32} The Court held that "permanent disbarment is necessary in this case to protect the public, to preserve the integrity of the profession, and to maintain public confidence in the legal profession as a whole." *Id.* ¶34.

{¶33} Amber Renee Goodman was convicted on one count of unlawful sexual contact with a 13-year-old child "while the child's father alternated having sexual intercourse with each of them." *Disciplinary Counsel v. Goodman,* 2024-Ohio-852, ¶¶2-3. Goodman received a 30-month prison term but was cut loose on judicial release after only eight months. *Id.* ¶9. Like this case and *Polizzi,* Goodman was found to have violated Prof.Cond.R. 8.4(b) and 8.4(h). The mitigating and aggravating factors, with some differences, are comparable to those in this case. In professional misconduct cases resulting in a criminal offense, the Court said "[W]e are not limited to considering the charges brought for a particular crime; rather, we must also examine the conduct underlying the offense." *Id.* ¶24. In examining the underlying conduct, the Court found that Goodman's "actions were tantamount to rape." *Id.* ¶30.

{¶34} Accordingly, citing to *Polizzi* and *Williams,* the Court stated that "our precedent disbarring attorneys for rape and other forcible sex offences provides the appropriate sanction in this case." *Id.* ¶31.

{¶35} Respondent seeks to distinguish *Polizzi* and *Goodman* as they "preyed on children" and they acknowledged guilt via guilty pleas. Respondent's post-hearing brief at 10-12. While Respondent cites to his "actual innocence" (*Id.* at 11), the reality is that a jury carefully evaluated the evidence, including his testimony, and *convicted* him on nine counts and *acquitted* him on nine counts. The convictions were affirmed on appeal. Report ¶¶3-4.

{¶36} Of the three adult females who were victims of sexual misconduct based on jury verdicts, while all relevant, the "most significant" is L.M., an immigrant from Venezuela who

engaged Respondent with respect to divorce and immigration matters. According to the court of appeals, the sexual contact between L.M. and Respondent was "frequent over the next three years, always under the implied threat that if he dropped her case she would lose her immigration status and custody of her daughter." Report ¶44. The jury returned six guilty verdicts as to L.M.: One count each of rape and kidnapping, and four counts of sexual battery. On the *Polizzi* scale distinguishing cases involving sexual misconduct into indefinite suspension and disbarment columns, the panel finds that the misconduct before us belongs in the disbarment column.

{¶37} Addressing the question of victim vulnerability based on age or special status, while recognizing the validity of laws to protect children, for example, Relator argues against the position that "it is acceptable for someone to have a law license in Ohio that has raped someone, regardless of their status, regardless of whether they are more vulnerable or less vulnerable." Hearing Tr. 77. We concur.

{¶38} Citing to the Board's responsibility to protect the public, a panel member asked Relator's counsel what is the "number one reason" we need to protect the public from Respondent? Relator's answer: "Because he's a convicted rapist. * * * can we ensure the public trust in the profession by allowing a convicted rapist to continue practicing law?" Hearing Tr. 82, 83.

{¶39} Is Javier Horacio Armengau redeemable? The panel believes there are two responses. First, based on his convictions and case precedent, as an active member of the Ohio Bar the answer is "no." Second, based on the unchallenged evidence and our assessment of his testimony, it is clear that he is redeemable as a productive member of society. This is demonstrated in his behavior assisting inmates in many areas. His behavior post-prison continues to demonstrate a willingness to provide thoughtful human services to "drug dependent people" all without compensation. As Relator recognized, "He can do that without a law license. He's doing that right

now under suspension and helping people." Hearing Tr. 80, 59. Respondent was asked what he intended to do should he be disbarred and replied, "Continuing to do what I'm doing today." Hearing Tr. 70.

{¶40} Based upon the foregoing, the panel reinforces the recommendation made by the Board on April 8, 2019, that Respondent be permanently disbarred from the practice of law.

Concurrence of Hon. D. Chris Cook

{¶41} I concur with the recommendation of my fellow panel members that Respondent, Javier Horacio Armengau, should be disbarred. I write separately to emphasize two points.

{¶42} First, I disagree that Respondent violated the Court's interim felony suspension order by "assisting" inmates with certain legal matters. Moreover, even if, technically, he did violate the order, I would not find it raises to the level of an aggravating factor. Panel Rpt. ¶ 21.

{¶43} Respondent's efforts to assist fellow inmates with certain legal matters, without compensation, is not the performance of legal services that the high Court's order meant to proscribe. While it probably does not matter in the long run, the Respondent should not be given a "strike" against him for his conduct in this regard.

{¶44} To be sure, the panel recognizes the merit of the legal assistance Respondent provided to fellow inmates and finds that "in no way" did the vast majority of legal work he performed while in prison violate the Court's order. Panel Rpt. ¶19.

{¶45} Regardless, I would find that his legal "assistance" to fellow inmates, even if construed as technically violating the order, should not considered as an aggravating factor as he assisted individuals in need with no benefit to himself.

{¶46} Second, I write to emphasize the importance of ¶39 in the Panel Report. The majority nails it by distinguishing between Respondent the person and Respondent the lawyer.

{¶47} Make no mistake, I fully appreciate the gravity of Respondent's convictions and agree that the recommendation of disbarment is apposite. But to reach that conclusion is not as simple as one might think.

{¶48} I made an observation at the panel hearing that I reiterate here; if every attorney convicted of serious felony offenses such as rape, kidnapping, robbery, burglary, murder, etc., should automatically be disbarred, then why are we going through all of these machinations? Why have a hearing? Why consider aggravating and mitigating factors and case comparators?

{¶49} The reason, at least as I understand it, is that each disciplinary case is to be decided on its own merits. That each respondent who comes before the Board of Professional Conduct, and ultimately the Ohio Supreme Court, is to be judged based upon multiple factors considered *in pari materia* against case precedent. "Because each disciplinary case is unique, we are not limited to the factors specified in the rule but may take into account 'all relevant factors' in determining what sanction to impose." *Disciplinary Counsel v. Ricketts,* 2010-Ohio-6240, ¶34.

{¶50} Put another way, it is a thorough, impartial analysis of the facts of the case together with consideration of the aggravating and mitigating factors that drive the recommendation, not simply the nature of the convictions.

{¶51} In this case, the Respondent put on persuasive character evidence. He used his time in prison productively and positively to help others, and, he has done so since his release from prison. He has made, and continues to make, restitution. He has paid his debt to society with a decade of incarceration and is fighting to keep his law license. All of these facts demand that we at least take our duty to evaluate this case as objectively and dispassionately as possible, without sole regard to the nature of Respondent's convictions. After all, if his convictions alone carry the day, then what are we really doing here?

{¶52} One other important point bears contemplation. The lawyers who are referenced by Relator and considered by the Panel in the *Goodman* and *Polizzi* matters both plead guilty to their respective sex offenses. Here, the Respondent has steadfastly maintained his innocence and as the Panel Report acknowledges, he should not be penalized for that in these proceedings. Panel Rpt. ¶9.

{¶53} I would actually take it one step further and suggest that as Respondent has maintained his innocence all along, it distinguishes, at least partially, his case from *Goodman's* and *Polizzi's*.

{¶54} Nevertheless, given the nature of the Respondent's convictions, the multiple victims, the aggravating factors (even without violating the Court order) against the mitigating factors, and case precedent, I concur with the recommendation of disbarment.

{¶55} In conclusion, to echo the Panel Report, Respondent, Javier Horacio Armengau may not be redeemable as an attorney, but I concur with my panel members that he has demonstrated redemption and rehabilitation as a person. Panel Rpt. ¶39.

BOARD RECOMMENDATION ON REMAND

Pursuant to Gov.Bar R. V(12) of the Board of Professional Conduct considered this matter on October 3, 2025. The Board voted to adopt the report and recommendation of the hearing panel on remand and recommends that Respondent, Javier Horacio Armengau be permanently disbarred from the practice of law in Ohio and ordered to pay the costs of these proceeding.

Pursuant to the order of the Board of Professional Conduct, I hereby certify the forgoing findings of fact, conclusions of law, and recommendation as that of the Board.

ELIZABETH T. SMITH, Director