

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

December 4, 2003

MERIT DECISIONS WITHOUT OPINIONS

2003-1834. Cincinnati Bar Assn. v. Allstate Ins. Co.

On October 20, 2003, movant, Cincinnati Bar Association, filed a motion requesting the court to review the October 1, 2003 dismissal by the Board of Commissioners on the Unauthorized Practice of Law, of Board case No. UPL02-2, *Cincinnati Bar Assn. v. Allstate Ins. Co.* On October 28, 2003, respondent, Allstate Insurance Company, filed a response opposing the motion for court review. Upon consideration thereof,

IT IS ORDERED by this court that movant's motion be, and hereby is, denied. It is further ordered that this cause be dismissed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

MOTION AND PROCEDURAL RULINGS

2003-0137. State v. Jackson.

Trumbull C.P. No. 01CR794. Upon consideration of the appellant's motion for stay of execution of sentence pending disposition of this appeal,

IT IS ORDERED by the court that the motion be, and hereby is, granted, pending further order of this court.

DISCIPLINARY CASES

1996-1977. Disciplinary Counsel v. Bustamante.

By order of this court dated March 26, 1997, respondent was indefinitely suspended from the practice of law. On April 2, 2003, pursuant to Gov.Bar R. V(10)(D), respondent filed a petition for reinstatement and deposited \$500 for

probable costs and expenses with the Clerk of this court. On September 24, 2003, this court denied respondent's petition for reinstatement, finding it facially insufficient. *In re Bustamante*, 100 Ohio St.3d 39, 2003-Ohio-4828, 796 N.E.2d 494. Accordingly, no costs as contemplated in Gov.Bar R. V(10)(D) have been incurred. Upon consideration thereof,

IT IS ORDERED by the court, sua sponte, that the Clerk shall refund respondent's April 2, 2003 deposit of \$500.

2002-2180. Disciplinary Counsel v. Shramek.

The application for reinstatement of William Jeffrey Shramek, Attorney Registration No. 0059936, is granted.

2003-0397. Erie-Huron Counties Grievance Commt. v. Meyerhoefer.

On May 16, 2003, this court indefinitely suspended respondent, Paul F. Meyerhoefer, Attorney Registration No. 0029461, last known business address in Norwalk, Ohio. On August 26, 2003, relator, Erie-Huron Counties Grievance Committee, filed a motion for order to show cause why respondent should not be held in contempt for failing to obey this court's May 16, 2003 order by failing to refund unearned retainers. On October 7, 2003, this court ordered respondent to file a written response to the order to show cause. On October 27, 2003, respondent filed a response, and this matter was considered by the court. Upon consideration thereof,

IT IS ORDERED by this court, sua sponte, that on or before 20 days from the date of this order, relator, Erie-Huron Counties Grievance Committee, shall file a response, in writing, to respondent's October 27, 2003 response to the show cause order.

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.

2003-1937. In re Mulholland.

On November 4, 2003, and pursuant to Gov.Bar R. V(5)(A), the Secretary of the Board of Commissioners on Grievances and Discipline of the Supreme Court submitted to this court a certified copy of a determination of default of a child support order by Daniel Bentz Mulholland, 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 Daniel Bentz Mulholland, Attorney Registration No. 0029184, last known business address in Cincinnati, Ohio, be, and hereby 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 is hereby, referred to the Disciplinary Counsel for investigation and commencement of disciplinary proceedings.

IT IS FURTHER ORDERED that Daniel Bentz Mulholland immediately cease and desist from the practice of law in any form and is hereby 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, he be 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 he is hereby 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 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.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

MEDIATION REFERRALS

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

2003-1908. State ex rel. Hamilton Cty. Bd. of Commrs. v. State Emp. Relations Bd.

In Mandamus.

2003-2037. State ex rel. Humility House v. Indus. Comm.

Franklin App. No. 03AP-1, 2003-Ohio-5582.