



STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 16th of September, 2015, the following order was made and entered:

State of West Virginia ex rel. Office of Disciplinary Counsel,
Petitioner

vs.) No. 15-0778

Barry J. Nace, a member of The West Virginia State Bar,
Respondent

ORDER

On August 11, 2015, the petitioner, Office of Disciplinary Counsel, by Jessica H. Donahue Rhodes, Lawyer Disciplinary Counsel, presented to the Court a petition requesting that a rule to show cause be directed against the respondent, Barry J. Nace, to show cause as to why he should not be held in contempt, as therein set forth. Thereafter, on September 3, 2015, the respondent, Barry J. Nace and counsel J. Michael Benninger, Benninger Law PLLC, filed a response to the petition.

Upon consideration whereof, the Court is of the opinion that a rule should not be awarded, and the writ prayed for by the petitioner is hereby refused. Request for sanctions denied.

A True Copy

Attest: //s// Rory L. Perry II
Clerk of Court

