

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 26th day of December 2008, the following order was made and entered in vacation:

Lawyer Disciplinary Board, Petitioner

v.) No. 33069

William H. Duty, a member of The West Virginia State Bar, Respondent

The Court, having maturely considered the record and the briefs of counsel and oral argument thereon, doth hereby order that the license to practice law in the State of West Virginia of the respondent, William H. Duty, a member of The West Virginia State Bar, be, and it hereby is, annulled for violating Rules 1.3, 1.4(a) and (b), 1.5(a), 1.15(a), (b) and (c), 1.16(d), 8.1(a) and (b) and 8.4(a), (c) and (d) of the Rules of Professional Conduct. In order to reinstate his license to practice law in the State of West Virginia, the respondent shall petition for reinstatement pursuant to Rule 3.33 of the Rules of Lawyer Disciplinary Procedure. As a mandatory condition for reinstatement, the respondent (1) shall make restitution in the amount of \$2,000 to Randy Stiltner; (2) as a condition of any reinstatement, respondent's practice be supervised for a period of two years, that he be required to participate in an alcoholics anonymous or narcotics anonymous program; (3) complete twelve hours of legal ethics education; and (4) that the respondent reimburse the Lawyer Disciplinary Board for the costs and expenses involved in this matter in the amount of \$2,640.20.

The syllabus of points adjudicated, prefixed to the written opinion aforesaid, prepared Per Curiam, was concurred in by Justices Davis, Starcher, Benjamin, McHugh

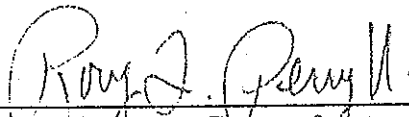
and Judge Eagloski, sitting by temporary assignment. Chief Justice Maynard disqualified.

Senior Status Justice McHugh, sitting by temporary assignment, by administrative order

entered on September 11, 2008, in light of the illness of Justice Albright.

A True Copy

Attest:


Clerk, Supreme Court of Appeals