

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 9th day of May, 1991, the following order was made and entered:

The Committee on Legal Ethics of The
West Virginia State Bar, Complainant

vs.) No. 19800

John F. Leaberry, a member of The West
Virginia State Bar, Respondent

On a former day, to-wit, May 3, 1991, came the complainant, the Committee on Legal Ethics of The West Virginia State Bar, by Sherri D. Goodman, its attorney, and also came the respondent, John F. Leaberry, by John Carrico, his attorney, and presented to the Court their joint motion to dismiss the above-captioned proceeding for the reason that both the complainant and respondent have agreed upon the date of June 25, 1990, as the date upon which respondent's five-year suspension of his license to practice law in the State of West Virginia will begin.

Upon consideration whereof, the Court is of opinion to and doth hereby grant said motion. It is therefore considered and ordered that the license to practice law in the State of West Virginia of the respondent, John F. Leaberry, is hereby suspended for a period of five years from the 25th day of June, 1990. Justice Brotherton would set the effective date of the respondent's suspension on the 13th day of December, 1990.

Service of a certified copy of this order upon the respondent
aforesaid shall constitute due notice of the contents hereof.

A True Copy

Attest: *Amif H Ramsey*
Clerk, Supreme Court of Appeals

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 19th day of March, 1991, the following order was made and entered:

The Committee on Legal Ethics of The West Virginia State Bar, Complainant

vs.) No. 19800

John F. Leaberry, a member of The West Virginia State Bar, Respondent

On a former day, to-wit, March 13, 1991, came the Committee on Legal Ethics of The West Virginia State Bar, by Sherri D. Goodman, its attorney, and presented to the Court the Subcommittee Report and Full Hearing Panel Report pursuant to the mitigation hearing granted by this Court on the 1st day of November, 1990, and held on the 12th day of January, 1991, and moved the Court to issue a rule to the said respondent directing him to show cause why an order should not be entered suspending his license to practice law in this State for a period of five years, after which he may apply for reinstatement, said period of five years to run from December 13, 1990, and that the respondent reimburse The West Virginia State Bar in the amount of the actual and necessary expenses incurred by the Committee on Legal Ethics in the investigation and hearing of this matter.

Upon consideration of which it is ordered that the verified complaint of The Committee on Legal Ethics of the West Virginia State Bar, together with the papers and documents referred to above be filed, and it is further ordered that a

rule do issue, directed to the respondent commanding him to appear before this Court at its courtroom in the City of Charleston, Kanawha County, West Virginia, on Tuesday, the 7th day of May, 1991, at ten o'clock a.m. to show cause, if any he can, why an order should not be entered suspending his license to practice law in the State of West Virginia for a period of five years. It is further ordered that the respondent file an original and seven copies of a memorandum in his behalf on or before April 19, 1991, and any response deemed necessary to be filed by May 1, 1991.

It is further ordered that the service of a copy of this order upon the respondent, shall have the same effect as the service of a formal rule.

A True Copy

Attest:


Clerk, Supreme Court of Appeals