

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 28<sup>th</sup> of April, 2005, the following order was made and entered:

Lawyer Disciplinary Board, Complainant

vs.) No. 31796

Peter D. Levy, a member of The West Virginia  
State Bar, Respondent

On a former day, to-wit, March 4, 2005, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Michael R. Whitt, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommended disposition in this matter, recommending that: (1) the respondent be suspended from the privilege to practice law in the State of West Virginia for a period of sixty days with automatic reinstatement to practice at the completion of the sixty day period pursuant to and in compliance with Rule 3.31 of the West Virginia Rules of Lawyer Disciplinary Procedure; (2) the respondent follow a plan of supervised practice for a period of one year. The supervisor shall meet with respondent to conduct an initial review of respondent's office practices. The supervisor and respondent shall meet once each month, and shall submit a monthly report to the Office of Disciplinary Counsel during the period of supervision. At these meetings, respondent shall report the status of all legal matters he has undertaken. The supervisor must be approved by the Office of Disciplinary Counsel and be available to respond to inquiries by the Office of Disciplinary Counsel; (3) the respondent shall complete an additional three hours of CLE during the 2004-2006

reporting period, specifically in office management, substance abuse or elimination of bias in the legal profession; and (4) pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure, respondent pay the costs of this disciplinary proceeding.

Thereafter, on the 14<sup>th</sup> day of March, 2005, came the Office of Disciplinary Counsel, by Andrea J. Hinerman, its attorney, and represented to the Court that it has no objection to the findings and recommendations of the Hearing Panel Subcommittee.

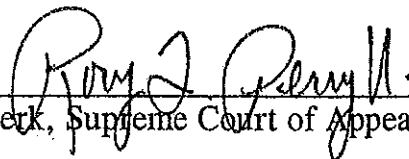
Upon consideration whereof, the Court is of opinion to and doth hereby adopt the stipulated written recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. It is therefore ordered that: (1) the respondent, Peter D. Levy, be, and he hereby is, suspended from the privilege to practice law in the State of West Virginia for a period of sixty days with automatic reinstatement to practice at the completion of the sixty day period pursuant to and in compliance with Rule 3.31 of the West Virginia Rules of Lawyer Disciplinary Procedure; (2) the respondent shall follow a plan of supervised practice for a period of one year. The supervisor shall meet with respondent to conduct an initial review of respondent's office practices. The supervisor and respondent shall meet once each month, and shall submit a monthly report to the Office of Disciplinary Counsel during the period of supervision. At these meetings, respondent shall report the status of all legal matters he has undertaken. The supervisor must be approved by the Office of Disciplinary Counsel and be available to respond to inquiries by the Office of Disciplinary Counsel; (3) the respondent shall complete an additional three hours of CLE during the 2004-2006 reporting period, specifically in office management, substance abuse or elimination of bias in the legal profession; and (4)

pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure, respondent shall pay the costs of this disciplinary proceeding in the amount of \$286.30. Justice Starcher would not suspend the respondent's license to practice law, but would publicly reprimand respondent. Justice Starcher concurs with remainder of the recommended disposition.

Service of an attested copy of this order shall constitute sufficient notice of its contents.

A True Copy

Attest:

  
Clerk, Supreme Court of Appeals