

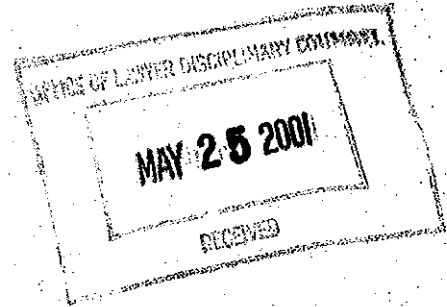
STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 23<sup>rd</sup> of May, 2001, the following order was made and entered:

Lawyer Disciplinary Board, Complainant

vs.) No. 26198

Hobert F. Muncey, Jr., a suspended member  
of The West Virginia State Bar, Respondent



On a former day, to-wit, April 19, 2001, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Michael T. Chaney, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court *Agreed Findings of Fact and Conclusions of Law*, its adoption of same, and its written recommended disposition recommending that: (1) respondent be required to make restitution to Bill and Carolyn Dillon in the amount of One Hundred Eighty Thousand One Hundred Dollars (\$180,100.00), together with interest thereon at the rate of 10% per annum from the date of each borrowing until the date of repayment; (2) respondent's license to practice law in the State of West Virginia be suspended for a period of six months; (3) respondent not be permitted to petition for reinstatement until he has made restitution in full as ordered; and (4) respondent be required to reimburse the Lawyer Disciplinary Board for the costs and expenses incurred in the investigation of this matter. Thereafter, on the 3<sup>rd</sup> day of May, 2001, came the Office of Disciplinary Counsel, pursuant to Rule 3.11 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written consent thereto.

Upon consideration whereof, the Court is of opinion to and doth hereby adopt the written recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. It is therefore ordered that: (1) respondent's license to practice law in the State of West Virginia is hereby suspended for a period of six months effective this date; (2) respondent shall not petition for reinstatement of his license to practice law in the State of West Virginia until he has made restitution in full to Bill and Carolyn Dillon in the amount of One Hundred Eighty Thousand One Hundred Dollars (\$180,100.00), together with interest thereon at the rate of 10% per annum from the date of each borrowing until the date of repayment; and (3) respondent shall reimburse the Lawyer Disciplinary Board for the costs and expenses incurred in the investigation of this matter in the amount of Two Thousand Nine Hundred One Dollars and Six Cents (\$2,901.06), for violating Rules 1.8 and 8.4 of the Rules of Professional Conduct.

Services of an attested copy of this order shall constitute sufficient notice of the contents herein.

A True Copy

Attest:

  
Clerk, Supreme Court of Appeals