

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 6th of September, 2001, the following order was made and entered:

Lawyer Disciplinary Board, Complainant

vs.) No. 23060

Daniel R. Schuda, a member of The West
Virginia State Bar, Respondent

On a former day, to-wit, July 13, 2001, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Timothy L. Sweeney, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommended disposition in the above-captioned proceeding, recommending: (1) that the admonishment of the respondent, Daniel R. Schuda, by the Investigative Panel of the Lawyer Disciplinary Board on the 7th day of June, 1995; be set aside; (2) that the formal charges filed with this Court on the 25th day of September, 1995, be dismissed; and (3) that the Court refer the issues set forth in the aforesaid formal charges to the full Lawyer Disciplinary Board for study and the possible issuance of an advisory opinion, pursuant to Rule 2.16 of the Rules of Lawyer Disciplinary Procedure.

There having been heard neither consent nor objection from either the Office of Disciplinary Counsel or the respondent, pursuant to Rule 3.11 of the Rules of Lawyer Disciplinary Procedure, the Court is of opinion to and doth hereby adopt the recommendations of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board.

It is therefore ordered that the admonishment of the respondent issued by the Investigative Panel of the Lawyer Disciplinary Board on the 7th day of June, 1995, be, and it hereby is, set aside. It is further ordered that the formal charges filed with this Court on the 25th day of September, 1995, be, and they hereby are, dismissed. It is finally ordered that the issues set forth in the aforesaid formal charges be referred to the full Lawyer Disciplinary Board for study and the possible issuance of an advisory opinion, pursuant to Rule 2.16 of the Rules of Lawyer Disciplinary Procedure.

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

A True Copy

Attest:


Clerk, Supreme Court of Appeals