

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on September 5, 2019, the following order was made and entered:

Lawyer Disciplinary Board,  
Petitioner

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vs.) No. 18-0887

SEP 16 2019

David R. Tyson, a member of  
The West Virginia State Bar,  
Respondent

OFFICE OF  
DISCIPLINARY COUNSEL

**ORDER**

On June 11, 2019, the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by its Chair Rhonda L. Harsh, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, presented to the Court its written recommended disposition in this matter, recommending that: (1) the respondent be reprimanded pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure; and (2) the respondent be ordered to reimburse the Lawyer Disciplinary Board the costs these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Thereafter, on July 8, 2019, the Office of Disciplinary Counsel, by Joanne M. Vella Kirby, Lawyer Disciplinary Counsel, filed its consent to the recommendation. The respondent did not file a consent or an objection to the recommendation.

Upon consideration, the Court is of the opinion to and does hereby concur with and approve the recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. Justice Jenkins does not concur with the recommendation. It is therefore **ORDERED** that the respondent, David R. Tyson, shall be, and he hereby is **publicly reprimanded**, and directed to pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Service of a copy of this order upon the respondent, David R. Tyson, the Office of Disciplinary Counsel, and the West Virginia State Bar shall constitute sufficient notice of the contents herein.

A True Copy

Attest: /s/ Edythe Nash Gaiser  
Clerk of Court

