

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on December 6, 2022, the following order was made and entered **in vacation**:

Lawyer Disciplinary Board,
Petitioner

vs.) 20-1027

David R. Tyson,
A Member of the West Virginia State Bar,
Respondent

AND

Office of Lawyer Disciplinary Counsel,
Petitioner,

vs.) 22-0342

David R. Tyson,
A Member of the West Virginia State Bar,
Respondent

MANDATE

Pursuant to Rule 26 of the Rules of Appellate Procedure, the opinion previously issued in the above-captioned cases is now final and is certified to the Lawyer Disciplinary Board (I.D. Nos. 17-06-346, 19-06-361, 19-06-365, 19-06-370, and 20-06-054), to the Office of Lawyer Disciplinary Counsel (I.D. Nos. 20-06-299, 20-06-303, and 20-06-306), and to the respondent, David R. Tyson.

In Docket No. 20-1027, the respondent's license to practice law is suspended for a period of three (3) years; the respondent must comply with the mandates of Rule 3.28 of the Rules of Lawyer Disciplinary Procedure; if he seeks reinstatement, the respondent is required to petition for reinstatement pursuant to Rule 3.32 of the Rules of Lawyer Disciplinary Procedure; the respondent shall allow the Public Defender Services to withhold \$58,812.46 in unpaid vouchers as

restitution for prior overpayments; the respondent is required to refund A.R. \$3,225.00, (which includes \$225.00 for court costs), that she was charged and paid as it was determined to be an unreasonable fee because the work was not completed; and the respondent is ordered to pay the costs of the proceedings in the amount of \$1,577.64 pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

In Docket No. 22-0342, the respondent's license to practice law is annulled by voluntary consent. The Court's decision to annul the respondent's license to practice law does not moot or nullify, in any way, the sanctions imposed in Docket No. 20-1027.

The Clerk is directed to remove this action from the docket of this Court.

A True Copy

Attest: /s/Edythe Nash Gaiser
Clerk of Court

