

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on March 7, 2019, the following order was made and entered:

Office of Disciplinary Counsel,
Petitioner

vs.) No. 18-0717

Douglas F. Kobayashi, a member of
The West Virginia State Bar,
Respondent

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OFFICE OF
DISCIPLINARY COUNSEL

ORDER

On August 6, 2018, the petitioner, Office of Disciplinary Counsel, by Rachael L. Fletcher Cipoletti, Chief Lawyer Disciplinary Counsel, filed a petition seeking annulment of the license to practice law in the State of West Virginia of the respondent, Douglas F. Kobayashi, pursuant to Rule 3.18, Rules of Lawyer Disciplinary Procedure.

On a date thereafter, the respondent, filed a request for a mitigation hearing pursuant to Rule 3.18 of the Rules of Lawyer Disciplinary Procedure. The request was not filed with this Court. The Office of Disciplinary Counsel filed an objection to the request for a mitigation hearing on September 14, 2018.

On November 14, 2018, the Court received the Hearing Panel Subcommittee of the Lawyer Disciplinary Board's ruling denying the request for a mitigation hearing.

Having reviewed the Hearing Panel Subcommittee's decision denying the request for a mitigation hearing, the Court upholds the Hearing Panel Subcommittee's decision that a mitigation hearing is not warranted in this matter.

Upon consideration and review of the petition seeking annulment and the pleadings filed herein, the Court is of the opinion to and does hereby grant the petition. It is therefore ordered that the license to practice law in the State of West Virginia of the respondent, Douglas F. Kobayashi, shall be, and it hereby is, **ANNULLED**.

Service of a copy of this order upon Rachael L. Fletcher Cipoletti, Chief Lawyer Disciplinary Counsel; the respondent, Douglas F. Kobayashi; 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

