

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on April 11, 2019, the following order was made and entered:

Lawyer Disciplinary Board,
Petitioner

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vs.) No. 18-0365

Gerald G. Jacovetty, Jr., a member of
The West Virginia State Bar,
Respondent

OFFICE OF
DISCIPLINARY COUNSEL

ORDER

On February 5, 2019, the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Kelly Ambrose, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, presented to the Court its written recommended disposition in this matter, recommending the following sanctions:

- (1) That respondent's law license be suspended for two years;
- (2) That respondent comply with Rule 3.28 of the Rules of Lawyer Disciplinary Procedure;
- (3) That prior to filing a petition for reinstatement pursuant to Rule 3.32 of the Rules of Lawyer Disciplinary Procedure, respondent must complete an additional six hours of continuing legal education in ethics; and
- (4) That prior to filing a petition for reinstatement pursuant to Rule 3.32 of the Rules of Lawyer Disciplinary Procedure, respondent must reimburse the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Thereafter, on March 1, 2019, the Office of Lawyer Disciplinary Counsel, by Jessica H. Donahue Rhodes, Lawyer Disciplinary Counsel, filed its consent to the recommendation. On March 6, 2019, the respondent, Gerald G. Jacovetty, Jr., by counsel Martin P. Sheehan, Sheehan & Associates, PLLC, filed his consent to the recommended sanctions.

Upon consideration, the Court is of the opinion to and does hereby concur with and does hereby approve the recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. Justice Armstead did not participate in the consideration or decision of this matter. It is therefore **ORDERED** that:

- (1) The license to practice law in the State of West Virginia of the respondent, Gerald G. Jacovetty, Jr., shall be, and it hereby is, suspended for a period of two years;
- (2) The respondent shall comply with the mandates of Rule 3.28 of the Rules of Lawyer Disciplinary Procedure;
- (3) The respondent shall complete an additional six hours of continuing legal education in the area of ethics, over and above any and all mandatory hours, prior to petitioning for reinstatement; and
- (4) The respondent shall pay the costs of this disciplinary proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure prior to petitioning for reinstatement.

Service of a copy of this order upon the respondent, Gerald G. Jacovetty, Jr., 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

