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OFFICE OF

DISCIPLINARY COUNSEL

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 5<sup>th</sup> day of July, 2016, the following order was made and entered in vacation:

Lawyer Disciplinary Board,  
Petitioner

v) 14-0365

Howard J. Blyler, A Member of the West Virginia State Bar,  
Respondent

MANDATE

Pursuant to Rule of Appellate Procedure 26, the opinion previously issued in the above-captioned case is now final and is hereby certified to the Lawyer Disciplinary Board and to the parties. The respondent's license to practice law is hereby suspended for a period of sixty days. Upon completion of the sixty-day suspension, respondent shall be placed on a probationary period with supervised practice and any recommended counseling, for a period of eighteen months. The supervision shall be by a lawyer approved by the Office of Disciplinary Counsel ("ODC"). Additionally, respondent shall cooperate with the ODC in order to complete an accounting for purposes of defining and determining the amount of restitution to be paid by him, taking into consideration factors set out in the Courts opinion. Respondent shall make full restitution within twenty-four months from the date of the Court's June 3, 2016 opinion. Respondent shall complete, in addition to that already required by rule, an additional twelve hours of continuing legal education in the area of ethics, within twelve months from the date of the June 3, 2016 opinion. Finally, respondent shall be evaluated by a licensed professional counselor, psychologist, or psychiatrist, of his choosing to assess his need for counseling and the

evaluator must agree to provide to the ODC a report, which shall be confidential and not disclosed to third parties, as to whether respondent would benefit from counseling, and, in the event that the confidential report recommends counseling, respondent shall be required to comply with such recommendation as a condition of his period of supervised practice. Respondent shall pay the costs and expenses incurred by the ODC in the prosecution of this proceeding in the amount of \$5,665.02. In addition, respondent shall pay the costs and expenses incurred by the ODC in overseeing all sanctions herein set forth. The Clerk is directed to remove this action from the docket of this Court.

A True Copy

Attest: //s// Rory L. Perry II  
Clerk of Court

