

STATE OF WEST VIRGINIA

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At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on April 21, 2023, the following order was made and entered:

Lawyer Disciplinary Board,
Petitioner

vs.) No. 22-571

John B. Morgan, a lawyer licensed in the
States of Florida and Tennessee,
Respondent

ORDER

On February 14, 2023, the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by its Chair Stephen M. Mathias, in accordance with Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, filed its written recommended disposition in this matter, recommending that:

- (1) Respondent be admonished;
- (2) Respondent be ordered to complete six (6) hours of continuing legal education in the area of ethics within six (6) months of the Supreme Court of Appeals of West Virginia's decision on these findings and recommendations and be a course or courses approved for West Virginia Continuing Legal Education;
- (3) Respondent be ordered to pay the costs of these proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure; and
- (4) Respondent's advertisements be of size, location and duration that allow for the sufficient viewing of the disclaimers.

On February 23, 2023, the respondent, John B. Morgan, by counsel Lonnie C. Simmons, DiPiero Simmons McGinley & Bastress, PLLC, filed his consent to the recommendation. The Office of Lawyer Disciplinary Counsel, by Andrea J. Hinerman, Senior Lawyer Disciplinary Counsel, filed its consent to the recommendation on March 14, 2023.

Upon consideration and review on April 20, 2023, the Court is of the opinion to and does concur with and approve the recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. It is ORDERED that:

- (1) The respondent John B. Morgan is **admonished**;
- (2) The respondent John B. Morgan shall complete six hours of continuing legal education in the area of ethics in a course or courses approved for continuing legal education by the Mandatory Continuing Legal Education Commission of the West Virginia State Bar within six months of the date of this order;
- (3) The respondent John B. Morgan shall pay the costs of these proceeding in accordance with Rule 3.15 of the Rules of Lawyer Disciplinary Procedure; and
- (4) Disclaimers in respondent John B. Morgan and his law firm's advertisements in the State of West Virginia must be of the size, location, and duration to allow for the sufficient viewing of the disclaimers.

Service of a copy of this order upon the Lonnie C. Simmons, counsel for the respondent, the Office of Lawyer Disciplinary Counsel, and the West Virginia State Bar, constitutes sufficient notice of the contents.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

