

APR 17 2021

STATE OF WEST VIRGINIA

COURT REPORT

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on April 15, 2021, the following order was made and entered:

Lawyer Disciplinary Board,  
Petitioner

vs.) No. 20-0542

Jonathan D. Fittro, a member of  
The West Virginia State Bar,  
Respondent

**ORDER**

On February 9, 2021, the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by its Chair Timothy E. Haught, in accordance with Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, presented to the Court its written recommended disposition in this matter, recommending that:

- (1) Respondent's law license be suspended for a period of 6 months, however that suspension be stayed and respondent complete 2 years of supervised practice by an attorney who is active in his geographic area, in good standing with the West Virginia State Bar and agreed upon by the Office of Lawyer Disciplinary Counsel. Further, there shall be the immediate imposition of the entire 6 month suspension if any conditions or requirements of his supervised probation are violated including, but not limited to any further formal complaints being filed.
- (2) Respondent complete an additional 6 hours of continuing legal education in office management in addition to the continuing legal education hours already required, and the additional 3 hours be completed within 6 months of the entry of an order in this case.
- (3) Respondent must comply with the mandates of Rule 3.28 of the Rules of Lawyer Disciplinary Procedure, if and when applicable; and.
- (4) Respondent be ordered to pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

On February 26, 2021, the Office of Lawyer Disciplinary Counsel, by Jessica H. Donahue Rhodes, Lawyer Disciplinary Counsel, filed its consent to the recommendation. The respondent, Jonathan Fittro, filed his consent to the recommendation on March 10, 2021.

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

(1) Respondent's license to practice law in the State of West Virginia is suspended for a period of 6 months. However, the 6 month suspension is stayed and the respondent is placed on 2 years of probation with supervised practice by a supervising attorney who is actively practicing in his geographic area, in good standing with the West Virginia State Bar, and is agreed upon by the Office of Lawyer Disciplinary Counsel. If the respondent violates any conditions or requirements of the supervised probation during the two-year period, the entire 6 month suspension will be imposed immediately without the filing of any further complaint.

(2) Respondent shall, within 6 months of the date of this order, complete an additional 6 hours of continuing legal education in office management in addition to the continuing legal education hours already required during the current reporting period.

(3) Respondent must comply with the mandates of Rule 3.28 of the Rules of Lawyer Disciplinary Procedure, if at any time the 6 month suspension is imposed.

(4) Respondent shall pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Service of a copy of this order upon the respondent, Jonathan D. Fittro, the Office of 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

