

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on the 7th day of December, 2021, the following order was made and entered **in vacation**:

Lawyer Disciplinary Board,
Petitioner

vs.) No. 20-0133

Justin J. Marcum,
Respondent

MANDATE

Pursuant to Rule 26 of the Rules of Appellate Procedure, the opinion previously issued in the above-captioned case is now final and is certified to the Lawyer Disciplinary Board (I.D. Nos. 17-03-552, 17-05-577, 18-06-059 and 18-05-378) and to the respondent, Justin J. Marcum. By its opinion, the Court ordered the following: (1) The respondent is suspended from the practice of law for a period of two years with a stay of the suspension after six months having been served and for imposition of a period of supervised probation for the remaining period of respondent's contract with the West Virginia Judicial and Lawyer Assistance Program; (2) immediate imposition of the remaining one-and-a-half year suspension if any conditions or requirements of the West Virginia Judicial and Lawyer Assistance Program contract or other Rules of Professional Conduct are violated after a petition to this Court; (3) respondent be required to complete an additional nine Continuing Legal Education hours in ethics and/or substance abuse education in addition to the twenty-four hours already required of him by the West Virginia State Bar, with the additional nine

hours being completed during the six-month suspension; (4) respondent comply with the terms and conditions of his West Virginia Judicial and Lawyer Assistance Program contract; (5) that respondent comply with the provisions of Rule 3.28 of the Rules of Lawyer Disciplinary Procedure; and, (6) respondent must reimburse the Office of Disciplinary Counsel for the costs of these proceedings in the amount of \$3,981.56 pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure. The Clerk is directed to remove this action from the docket of this Court.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

