

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on September 12, 2023, the following order was made and entered.

SCA Filed: Sep 12 2023
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Transaction ID 70842244

Lawyer Disciplinary Board,
Petitioner

vs.) No. 22-817

M. Paul Marteney, a member of
The West Virginia State Bar,
Respondent

ORDER

On June 15, 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's license to practice law be suspended for a period of ninety days, subject to automatic reinstatement pursuant to Rule 3.31 of the Rules of Lawyer Disciplinary Procedure;
- (2) Respondent comply with the mandates as expressed in Rule 3.28 of the Rules of Lawyer Disciplinary Procedure;
- (3) Within 30 days of the entry of the Order suspending his license to practice law that Respondent refund the filing fee in the amount of two hundred dollars (\$200.00) to Jinjer Nutter and provide verification of the same to the Office of Lawyer Disciplinary Counsel (ODC); and
- (4) Respondent be ordered to pay the costs of this disciplinary proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

On June 22, 2023, the ODC, by Rachael L. Fletcher Cipoletti, Chief Lawyer Disciplinary Counsel, filed its consent to the recommendation. The respondent did not file a consent or an objection to the recommendation.

Upon consideration and review on September 7, 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 license to practice law in the State of West Virginia of the Respondent M. Paul Marteney is suspended for a period of ninety days from the date of this order, with automatic reinstatement pursuant to Rule 3.31 of the Rules of Lawyer Disciplinary Procedure;
- (2) Respondent shall comply with the duties of a suspended lawyer set forth in Rule 3.28 of the Rules of Lawyer Disciplinary Procedure;
- (3) Respondent shall refund the filing fee in the amount of two hundred dollars (\$200.00) to Jinjer Nutter and provide verification of the refund to the ODC within 30 days of the date of this order; and
- (4) Respondent shall pay the costs of this disciplinary proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Service of a copy of this order upon the respondent M. Paul Marteney, the ODC, and the West Virginia State Bar, constitutes sufficient notice of the contents.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

