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DISCIPLINARY COUNSEL

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 15<sup>th</sup> of October, 2014, the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 12-1149

Olen L. York, III, a member of The Ohio State Bar, Respondent

On September 3, 2014, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Sean Francisco, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommended disposition in this matter, recommending that: (1) respondent be prohibited from admission to the West Virginia State Bar for no less than one year; (2) respondent be prohibited from appearing in any West Virginia state court for no less than one year; (3) should respondent ever seek admission to the West Virginia State Bar in the future, that he be required to first take 12 hours in continuing legal education with a focus on law office management and/or legal ethics; and (4) respondent be ordered to pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Thereafter, on October 1, 2014, the Office of Disciplinary Counsel, by Renée N. Frymyer, Lawyer Disciplinary Counsel, filed its statement of no objection to the Hearing Panel Subcommittee recommendation. On October 3, 2014, the respondent, Olen L. York, III, by counsel Lonnie C. Simmons, DiTrapano, Barrett, DiPiero, McGinley & Simmons, PLLC, filed his statement of no objection to the Hearing Panel Subcommittee recommendation.

Upon consideration and review of the Hearing Panel Subcommittee recommendation, the Court does concur with and does hereby approve those recommendations of the Hearing Panel Subcommittee.

It is ordered that: (1) respondent shall be, and he hereby is, prohibited from applying for admission to The West Virginia State Bar for a period of one year from the date of this order; (2) respondent shall be, and he hereby is, prohibited from appearing in any West Virginia state court for a period of one year from the date of this order; (3) respondent shall, prior to applying for admission to the West Virginia State Bar, take 12 hours of continuing legal education in office management and/or ethics; (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 all parties herein shall constitute sufficient notice of the contents herein.

A True Copy

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

