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STATE OF WEST VIRGINIA

OFFICE OF  
DISCIPLINARY COUNSEL

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 13<sup>th</sup> January, 2011, the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 35432

Scott Palmer Mason, a suspended member of The West Virginia State Bar, Respondent

On a former day, to-wit, October 7, 2010, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Pamela D. Tarr, 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) the respondent's law license be annulled; (2) respondent pay the attorney fees owed to Ben Leonard, Esq., in the amount of Two Thousand One Hundred and Eight Dollars and 11/100 (\$2,108.11), plus interest as ordered at a rate of 7% per annum; (3) if reinstated in the future, respondent be ordered to undergo a psychiatric evaluation and follow any and all treatment protocol as set forth by the evaluating physician, including but not limited to, a rigorous substance abuse program; (4) if reinstated in the future, respondent be ordered to have his IOLTA and operating accounts audited for a period of two years by an outside, independent accounting agency; (5) if reinstated in the future, respondent be ordered to undergo two years of supervised practice; (6) respondent be ordered to pay the costs associated with the Rule 3.27 emergency petition (No. 35453) based on the abandonment of his law practice in the amount of Five Hundred and Thirty-Three Dollars and Sixty-Eight Cents (\$533.68);

and (7) respondent be ordered to pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

There having been heard neither concurrence nor objection from either the Office of Disciplinary Counsel or from the respondent, the Court doth hereby approve the written recommendation.

It is therefore ordered that: (1) the license to practice law in the State of West Virginia of Scott Palmer Mason, be, and it hereby is, annulled; 2) respondent shall pay the attorney fees owed to Ben Leonard, Esq., in the amount of Two Thousand One Hundred and Eight Dollars and 11/100 (\$2,108.11), plus interest as ordered at a rate of 7% per annum; (3) if reinstated in the future, respondent shall undergo a psychiatric evaluation and follow any and all treatment protocol as set forth by the evaluating physician, including but not limited to, a rigorous substance abuse program; (4) if reinstated in the future, respondent shall have his IOLTA and operating accounts audited for a period of two years by an outside, independent accounting agency; (5) if reinstated in the future, respondent shall undergo two years of supervised practice; (6) respondent be ordered to pay the costs in the amount of Five Hundred and Thirty-Three Dollars and Sixty-Eight Cents (\$533.68) associated with the Rule 3.27 emergency petition (No. 35453) based on the abandonment of his law practice; and (7) respondent shall pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Service of an attested copy of this order shall constitute sufficient notice of its contents.

A True Copy

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

