

JAN 19 2012

OFFICE OF
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 12th of January 2012, the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 11-1068

Martin R. Smith, Jr., a member of the West Virginia
State Bar, Respondent

On a former day, to-wit, July 15, 2011, came the petitioner, Lawyer Disciplinary Board, by Leah J. Heimbach, its chairperson, and presented to the Court its Statement of Charges.

On September 19, 2011, came the respondent, Martin R. Smith, Jr., and presented to the Court his written response thereto.

Thereafter, on November 29, 2011, came the Office of Disciplinary Counsel, by Renée N. Frymyer, its attorney, pursuant to Rule 3.25 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its petition for the Court to accept respondent's disbarment by consent together with the formal affidavit of the respondent consenting to voluntary disbarment.

Upon consideration whereof, the Court doth hereby grant the aforesaid petition. It is therefore ordered that, pursuant to Rule 3.25 of the Rules of Lawyer Disciplinary Procedure, the license to practice law in the State of West Virginia of the respondent, Martin R. Smith, Jr., be, and it hereby is, annulled by voluntary consent.

A True Copy

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

