

SUPREME COURT OF OHIO

Columbus Bar Assn. v. Winkfield

123 Ohio St. 3d 1211, 2009-Ohio-5682 (2009) · No. 2005-1115 · Decided September 29, 2009

SUMMARY

The Supreme Court of Ohio denied Lawrence Edward Winkfield’s petition for reinstatement to the practice of law after considering the disciplinary board’s recommendation and the parties’ filings. The court also assessed costs, required reimbursement of applicable Clients’ Security Fund awards, and ordered publication of the decision.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Chief Justice Moyer; Justice Pfeifer; Justice O'Connor; Justice O'Donnell; Justice Lanzinger; Justice Cupp; Justice Lundberg Stratton
JURISDICTION	Ohio
DECIDED	September 29, 2009
DOCKET	2005-1115
DISPOSITION	other
PROCEDURAL POSTURE	Petition for reinstatement to the practice of law in Ohio following prior disciplinary proceedings.
PRECEDENTIAL VALUE	Published Supreme Court of Ohio per curiam reinstatement order
PARTIES	Columbus Bar Association v. Lawrence Edward Winkfield

TOPICS

appellate procedure

PRACTICE AREAS

legal ethics

attorney reinstatement

professional discipline

QUESTIONS PRESENTED

- Whether Winkfield should be reinstated to the practice of law in Ohio.

HOLDINGS

1. The petition for reinstatement was denied.

FACTUAL BACKGROUND

Lawrence Edward Winkfield, an Ohio attorney, petitioned for reinstatement to the practice of law. The Board of Commissioners on Grievances and Discipline issued a final report recommending that reinstatement be denied. Winkfield objected to the report, but the Supreme Court of Ohio denied the petition.

PROCEDURAL HISTORY

Lawrence Edward Winkfield filed a petition for reinstatement on July 7, 2008. The petition was referred under Gov.Bar R. V(10)(F) to the Board of Commissioners on Grievances and Discipline, which recommended denial. Winkfield objected to the report, the Columbus Bar Association filed an answer, and the Supreme Court of Ohio denied reinstatement.

DISPOSITION

other

CASES CITED

- Columbus Bar Assn. v. Winkfield, 107 Ohio St. 3d 360, 2006-Ohio-6, 839 N.E.2d 924

OPINION

PER CURIAM.

[Cite as Columbus Bar Assn. v. Winkfield, 123 Ohio St. 3d 1211, 2009-Ohio-5682.] COLUMBUS BAR ASSOCIATION v. WINKFIELD. [Cite as Columbus Bar Assn. v. Winkfield, 123 Ohio St. 3d 1211, 2009-Ohio-5682.] (No. 2005-1115 — Submitted September 16, 2009 — Decided September 29, 2009.) ON PETITION FOR REINSTATEMENT. _____ {¶ 1} This cause came on for further consideration upon the filing on July 7, 2008 of a petition for reinstatement by respondent, Lawrence Edward Winkfield, Attorney Registration No. 0034254.

In accordance with Gov.Bar R. V(10)(F), respondent's petition for reinstatement was referred to the Board of Commissioners on Grievances and Discipline. The board filed its final report in this court on June 18, 2009, recommending that respondent's petition for reinstatement to the practice of law in Ohio be denied. Respondent filed objections to the final report, and relator filed an answer.

Upon consideration thereof, {¶ 2} It is ordered by this court that the petition for reinstatement of respondent is denied. {¶ 3} It is further ordered by the court that respondent be taxed the costs of these proceedings in the amount of \$1,615.31, less the deposit of \$500, for a total balance due of \$1,115.31 payable by certified check or money order by respondent on or before 90 days from the date of this order.

If costs are not paid on or before 90 days from the date of this order, interest at the rate of 10% per annum will accrue until costs are paid in full. It is further ordered that if costs are not paid in full on or before 90 days from the date of this order, the matter will be submitted to the Attorney General for collection of costs and all accrued interest.

SUPREME COURT OF OHIO {¶ 4} It is further ordered, sua sponte, by the court that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded against the respondent by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered, sua sponte, by the court that if, after the date of this order, the Clients' Security Fund awards any amount against respondent pursuant to Gov.Bar R. VIII(7)(F), respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award. {¶ 5} It is further ordered, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

All case documents are subject to Rules 44 through 47 of the Rules of Superintendence for the Courts of Ohio, which govern access to court records. {¶ 6} It is further ordered that the Clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication. {¶ 7} For earlier case, see *Columbus Bar Assn. v. Winkfield*, 107 Ohio St.3d 360, 2006-Ohio-6, 839 N.E.2d 924.

MOYER, C.J., and PFEIFER, O'CONNOR, O'DONNELL, LANZINGER, and CUPP, JJ., concur.
LUNDBERG STRATTON, J., dissents and would reinstate the respondent with conditions.