

SUPREME COURT OF OHIO

In re Resignation of Braun

2020 Ohio 4839 (Ohio 2020) · No. 2020-1143 · Decided October 9, 2020

SUMMARY

The Supreme Court of Ohio accepted Timothy Francis Braun’s resignation from the practice of law as a resignation with disciplinary action pending under Gov.Bar R. VI(11)(C). The order withdrew his authority to practice law, required surrender of his admission certificate and registration card, imposed client-notification and property-return obligations, and directed compliance with related disciplinary requirements.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Maureen O'Connor, Chief Justice; Maureen O'Connor, C.J.; Maureen O'Connor; Sharon L. Kennedy, J.; Jennifer Brunner? No; William M. O'Neill? No
JURISDICTION	Ohio
DECIDED	October 9, 2020
DOCKET	2020-1143
DISPOSITION	other
PROCEDURAL POSTURE	Attorney Timothy Francis Braun submitted an application for retirement or resignation under Gov.Bar R. VI(11). The application was referred to disciplinary counsel, whose report was filed with the Supreme Court of Ohio under seal. The court considered the application and accepted Braun's resignation with disciplinary action pending.
PRECEDENTIAL VALUE	Published Ohio Supreme Court opinion

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QUESTIONS PRESENTED

1. Whether Braun's application for resignation should be accepted pursuant to Gov.Bar R. VI(11)(C) as a resignation with disciplinary action pending.
2. What restrictions and compliance obligations should accompany acceptance of the resignation.

HOLDINGS

1. Pursuant to Gov.Bar R. VI(11)(C), the court accepted Braun's resignation as a resignation with disciplinary action pending.
2. Upon acceptance of the resignation, Braun's rights and privileges to practice law in Ohio were withdrawn, his name was ordered stricken from the roll of attorneys, and he was required to comply with specified practice restrictions, client-protection obligations, notice requirements, and reporting requirements.

KEY QUOTATIONS

“On consideration thereof, it is ordered by the court that pursuant to Gov.Bar R. VI(11)(C), the resignation as an attorney and counselor at law is accepted as a resignation with disciplinary action pending.” (2020-Ohio-4839, ¶ 2)

“It is further ordered and adjudged that from and after this date all rights and privileges extended to respondent to practice law in the state of Ohio be withdrawn” (2020-Ohio-4839, ¶ 3)

FACTUAL BACKGROUND

Timothy Francis Braun was admitted to practice law in Ohio on November 16, 1987. He submitted an application for retirement or resignation while disciplinary action was pending. After referral to disciplinary counsel and filing of the disciplinary counsel's report, the Supreme Court of Ohio accepted his resignation with disciplinary action pending and ordered that his authorization to practice law be withdrawn.

PROCEDURAL HISTORY

Braun applied to retire or resign from the Ohio bar pursuant to Gov.Bar R. VI(11). The application was referred to disciplinary counsel, and disciplinary counsel filed a report under seal. The Supreme Court of Ohio accepted the resignation with disciplinary action pending and imposed related practice restrictions and compliance obligations.

DISPOSITION

other