

RECEIVED

SEP - 5 2017

OFFICE OF  
DISCIPLINARY COUNSEL

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on August 30, 2017, the following order was made and entered **in vacation**:

Lawyer Disciplinary Board,  
Petitioner

vs.) No. 16-1028

D. Adrian Hoosier, II, a member of  
The West Virginia State Bar,  
Respondent

### ORDER

On June 26, 2017, the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Steven K. Nord, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, presented to the Court its written recommended disposition in this matter, recommending that:

- (1) Respondent's law license be suspended for a period of three months, with automatic reinstatement of his license to practice law pursuant to the provisions and requirements of Rule 3.31 of the Rules of Lawyer Disciplinary Procedure;
- (2) Respondent be ordered to complete an additional six hours of continuing legal education in the area of ethics and office management during the current reporting period;
- (3) If suspended, respondent be ordered to comply with the mandates of Rule 3.28 of the Rules of Lawyer Disciplinary Procedure; and
- (4) Respondent be ordered to pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

On July 24, 2017, the Office of Disciplinary Counsel, by Andrea J. Hinerman, Senior Lawyer Disciplinary Counsel, filed its consent to the recommendation. Neither consent nor objection was filed by the respondent.

Upon consideration, the Court is of the opinion to and does hereby concur with and does hereby approve the recommendation of the Hearing Panel Subcommittee as set forth herein. It is therefore ordered that:

(1) Respondent's license to practice law in the State of West Virginia shall be, and it hereby is, suspended for a period of three months, with automatic reinstatement pursuant to Rule 3.31, Rules of Lawyer Disciplinary Procedure;<sup>1</sup>

(2) Respondent shall complete an additional six hours of continuing legal education in the area of ethics and law office management during the current mandatory continuing legal education reporting period.

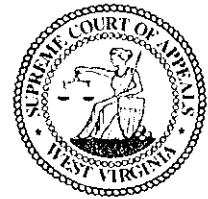
(3) Respondent shall fully comply with the duties of a suspended lawyer in accord with Rule 3.28 of the Rules of Lawyer Disciplinary Procedure; and

(4) Respondent shall pay the costs of this proceeding pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Service of a copy of this order upon The West Virginia State Bar, the Office of Disciplinary Counsel, and D. Adrian Hoosier, II shall constitute sufficient notice of the contents herein.

A True Copy

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



---

<sup>1</sup> The Court notes the inconsistency in the Hearing Panel Subcommittee's recommendation for **automatic** reinstatement, citing to **Rule 3.32** of the Rules of Lawyer Disciplinary Procedure. Rule 3.31 of the Rules of Lawyer Disciplinary Procedure provides for automatic reinstatement when a lawyer has been suspended for a period of three months or less, and has satisfied all other requirements set forth in the order of suspension.