

November 18, 1980

Darco, Jr., by Timothy N. Barber, his attorney, and presented to the Court his petition praying for an appeal from a judgment of the Circuit Court of Jackson County rendered in this case on the 8th day of February, 1980, with the record therein accompanying the petition, which being seen and inspected by the Court the appeal prayed for is granted.

The Committee on Legal Ethics of the West Virginia State Bar, Complainant
vs.

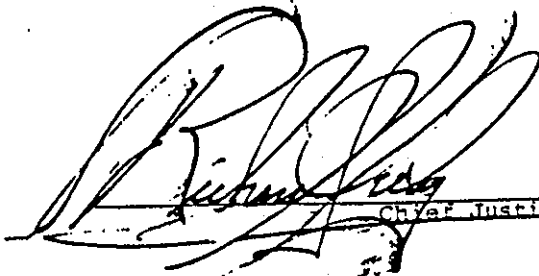
Jerome Radosh, a member of The West Virginia State Bar, Defendant

This proceeding came on this day upon the letter of John O. Kizer, received November 10, 1980, submitting the affidavit of Jerome Radosh consenting to his disbarment pursuant to the provisions of Article VI, Part E., Section 27 of the By-Laws of the West Virginia State Bar, and moving that an order be entered disbarring the defendant on consent in accordance with the provisions of said article. Upon consideration of which, the Court is of opinion to, and doth hereby, grant said motion.

Accordingly, it is adjudged and ordered that the license of Jerome Radosh, to practice law in the State of West Virginia, be, and the same is hereby, revoked and annulled and the said Jerome Radosh is ordered to reimburse the West Virginia State Bar in the sum of \$2,036.02, the amount expended by the Bar in this behalf.

It is further ordered that the Clerk promptly certify a copy of this order to the Director of the West Virginia State Bar and that a duly attested copy be served upon the defendant, Jerome Radosh, according to law.

Ordered that this Court be now adjourned until tomorrow afternoon at three o'clock.


Richard L. Kizer
Chief Justice



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TWENTY-THIRD JUDICIAL CIRCUIT

PROBATION DEPARTMENT

POST OFFICE BOX 1363

MARTINSBURG, WEST VIRGINIA 25401

DENNIS D. BARRON
PROBATION SUPERVISOR

May 19, 1981

PHONE
304 267-2882

Mr. Robert H. Davis, Jr., Counsel
West Virginia State Bar
State Capitol Building
Room E-400
Charleston, West Virginia 25305

Re: JEROME RADOSH

Dear Mr. Davis:

As per your request, I am forwarding to you a certified copy of the sentencing order on Jerome Radosh. This order reflects that Mr. Radosh was sentenced to an indeterminate term of from one (1) to ten (10) years in the State Penitentiary as a consequence of his conviction of Embezzlement.

Mr. Radosh was transported to the Huttonsville Correctional Center on 5/19/81 to begin his sentence, having been incarcerated in the Berkeley County Jail since 5/11/81.

If I can be of further assistance to you or your office, please advise.

Sincerely,

Dennis D. Barron,
Probation Supervisor

DDB:ce

Enclosure

IN THE CIRCUIT COURT OF BERKELEY COUNTY, WEST VIRGINIA
STATE OF WEST VIRGINIA
VS.

CRIMINAL ACTION NO. 80-F-179

INDICTMENT NO. 1

JEROME RADOSH

ORDER

This matter came on to be heard this 11th day of May, 1981, upon the papers and proceedings formerly read and had herein; upon the Grand Jurors in attendance at the October, 1980 Term of this Court having returned an indictment against the said Defendant, Jerome Radosh, for the felony of embezzlement, on the 22nd day of October, 1980; upon the appearance of the Defendant, Jerome Radosh, in person and by Henry Morrow and W. H. S. White, Jr., his counsel, and upon the appearance of the State of West Virginia by Patrick G. Henry III, Assistant Prosecuting Attorney of Berkeley County, West Virginia.

And it appearing from the records of this Court that the Defendant, Jerome Radosh, on the 24th day of February, 1981, entered a plea of guilty of the felony of embezzlement as charged in Indictment No. 1 and was convicted upon said plea; it further appearing to the Court that on February 24, 1981, this matter was referred to the Probation Officer of this Court for pre-sentence investigation; upon the receipt of the written pre-sentence investigation and report of the Probation Officer of this Court, which said report is hereby ORDERED filed; upon the Defendant and his counsel having had the opportunity to examine both sections of the said report and the opportunity to respond to said report.

Whereupon the Court asked the Defendant whether he has anything to say why judgment should not be pronounced and no sufficient cause to the contrary being shown or appearing to the Court, it is ADJUDGED and ORDERED that the said Jerome Radosh is guilty as charged and convicted.

Whereupon the Court finds that the said Defendant is not likely again to commit crime, however, that the public good demands his incarceration. Accordingly, the motion of the Defendant to be placed upon probation be and the same is hereby denied.

Accordingly, it is ADJUDGED and ORDERED that the Defendant Jerome Radosh is hereby sentenced to be confined in the West Virginia Penitentiary at Moundsville, West Virginia for an indeterminate sentence of not less than one (1) nor more than ten (10) years upon his conviction upon said Indictment No. 1, there to be dealt with according to law, effective May 11, 1981, and that the State of West Virginia do recover of and from the Defendant its costs in this behalf expended.

CONVICTION DATE: February 24, 1981

SENTENCE DATE: May 11, 1981

EFFECTIVE SENTENCE DATE: May 11, 1981

It is further ADJUDGED and ORDERED that the Defendant is hereby committed to the custody of the warden of the West Virginia Penitentiary or his authorized representative for imprisonment in accordance with this order.

It is further ADJUDGED and ORDERED that the said Defendant be and is hereby remanded to the custody of the Sheriff of this County and his deputies until he can be delivered to a guard sent and duly authorized by the warden of the West Virginia

Penitentiary for the removal of said Defendant to said Penitentiary
in accordance with this order.

It is further ADJUDGED and ORDERED that the appearance bond
heretofore given on behalf of said Defendant be and is hereby
exonerated and his surety is relieved of any liability thereon.

The Clerk shall enter the above as of the day and date
first above written.

P. H. H.
1/10/75
5/1/75

James E. Buchanan
JUDGE OF THE CIRCUIT COURT OF
BERKELEY COUNTY, WEST VIRGINIA

Alta Hardy

The Committee on Legal Ethics of the
West Virginia State Bar, Complainant

vs.
Harshbarger, J.

Jerome Radosh, a member of the
West Virginia State Bar, Defendant

This matter came before the Court upon the verified written complaint of the Committee on Legal Ethics of The West Virginia State Bar against Jerome Radosh, including the original statement of charges against the respondent, the record and transcript of the formal hearing held before the Committee on Legal Ethics on July 12, 1978, an itemized statement of the actual and necessary expenses incurred by the Committee in this case, through October 15, 1978, and the written statement of the Committee's findings and recommendations, filed in this Court on April 11, 1980, praying that this Court issue an order suspending respondent's license to practice law in this State for a period of ninety (90) days for his professional misconduct; upon a rule issued by this Court on May 1, 1980, directing respondent to show cause on June 24, 1980, why the prayer of said complaint should not be granted, a true copy of which rule was personally served on respondent on May 7, 1980; and upon briefs filed by complainant and respondent, and arguments of counsel had on June 24, 1980.

The aforesaid findings of the Committee on Legal Ethics of The West Virginia State Bar found that Jerome Radosh was guilty of professional misconduct in that he had engaged in neglectful and deceptive conduct involving the filing of a voluntary bankruptcy petition for one of his clients and the failure to file such a petition for another client. By so doing, respondent had neglected legal matters entrusted to him in violation of Disciplinary Rule 6-101(A)(3), had engaged in conduct involving misrepresentation and violation of Disciplinary Rule 1-102(A)(4), and had generally engaged in conduct which would reflect adversely on his fitness to practice law in violation of Disciplinary Rule

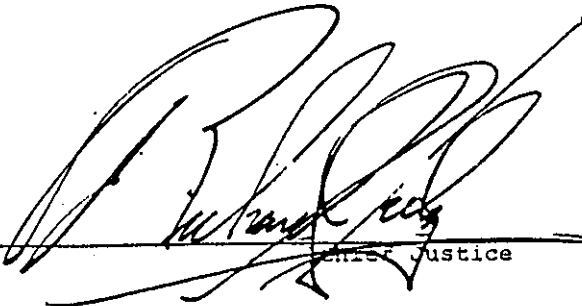
1-102(A)(6).
This Court, from the record before us, finds that Jerome Radosh has been guilty of professional misconduct in violation of the Code of Professional Ethics, and that such professional misconduct is of such a nature as warrants appropriate disciplinary action by this Court.

It is therefore adjudged and ordered that the license of Jerome Radosh to practice law in the State of West Virginia is hereby suspended for a period of ninety (90) days from and after the date of this Order; but he shall have the right pursuant to Section 28 of Article VI of the By-Laws of The West Virginia State Bar to apply to this Court, at the expiration of said ninety (90) days, for reinstatement of his right and license to practice law in this State, upon satisfactory proof by him of his having in the meantime reimbursed the Committee on Legal Ethics of The West Virginia State Bar for its actual and necessary expenses in connection with this case as the same may be certified by the Chairman of the Legal Ethics Committee to the Clerk of this Court.

The Clerk of this Court is hereby directed to properly certify a copy of this Order to the Secretary of The West Virginia State Bar pursuant to Section 32 of Article VI of the By-Laws of The West Virginia State Bar; and he is hereby directed to have a duly authenticated copy of this Order served upon respondent, Jerome Radosh, in person.

2
o'clock.

Ordered that this Court be now adjourned until next Tuesday morning at ten

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be the name of a judge.

Justice