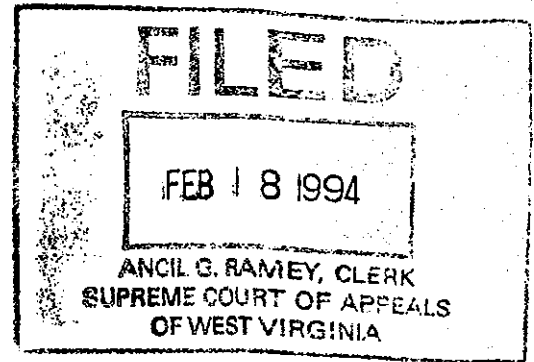


Per Curiam:

The Committee on Legal Ethics
of the West Virginia State Bar

No. 20859 v.

Joseph R. Martin, a suspended member
of the West Virginia State Bar



In this matter, the Committee on Legal Ethics of the West Virginia State Bar alleges that the respondent, Joseph R. Martin, has failed to comply with an order of this Court directing him to reimburse the expenses of a legal ethics proceeding against him. The Committee prays that this Court take action to sanction the respondent for his failure to pay the expenses. After reviewing the questions presented, as well as the documents filed, this Court concludes that the respondent should be sanctioned.

In 1992, in The Committee on Legal Ethics of the West Virginia State Bar v. Joseph R. Martin, a Suspended Member of the West Virginia State Bar, 187 W.Va. 340, 419 S.E.2d 4 (1992), this Court publicly reprimanded the respondent, Joseph R. Martin, for his failure to respond to a legal ethics complaint filed against him and for his failure to cooperate with the West Virginia State Bar in completing the investigation of the complaint. The Court also directed the respondent to pay the West Virginia State Bar \$469.00, the expenses of the proceeding.

In the present complaint, the Committee on Legal Ethics claims that the respondent has failed to pay the \$469.00, and it prays that the Court sanction him for his failure to pay.

Article VI, section 20 of the By-laws of the West Virginia State Bar recognizes that this Court has broad powers in handling complaints filed against members of the Bar. It provides, in part, that after considering a complaint, the Court may:

[D]ismiss the complaint, administer a public reprimand to the attorney, suspend the attorney's license to practice law in this State for such period of time and upon such terms and conditions as may be adjudicated by the court, annul the attorney's license to practice law in this State, or take such other action as the court in its judgment may consider proper, which order may include such provisions for reimbursement of the actual and necessary expenses incurred by the committee in connection with said case as the court shall deem just.

Acting pursuant to this power, the Court directed that the respondent pay the West Virginia State Bar \$469.00 for expenses incurred by the State Bar in pursuing the original complaint against him.

From the documents filed, it appears that the respondent has failed to comply with the Court's order. The Court continues to believe that the respondent should pay the Committee on Legal Ethics of the West Virginia State Bar the \$469.00 expended by it in prosecuting the complaint against him and that, in view of his unwillingness to pay, an additional sanction should be imposed

against him unless he pays the \$469.00 due to the West Virginia State Bar within sixty days.

It is, therefore, considered appropriate, and it is Adjudged and Ordered that the respondent's license to practice law be annulled and that he be disbarred from the practice of law in West Virginia sixty days from the date of entry of this order, unless he pays, or arranges to pay, the \$469.00 in expenses previously directed to be paid, within such sixty-day period. In the event the respondent does pay, or make arrangement to pay, within said sixty days, then said annulment and disbarment shall not go into effect and the respondent shall be restored to his status quo ante the entry of this order.

