

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 20th day of January, 1994, the following order was made and entered:

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

vs.) No. 21483

Thomas E. White, Respondent


On a former day, to-wit, January 13, 1994, came the Committee on Legal Ethics of The West Virginia State Bar, by Ellen F. Golden, its attorney, and presented to the Court the Hearing Panel Subcommittee's recommendation and the Full Hearing Panel's adoption thereof that the respondent, Thomas E. White, be reinstated to the practice of law in the State of West Virginia.

Upon consideration whereof, the Court is of opinion to and doth hereby adopt the Committee on Legal Ethics of The West Virginia State Bar's recommendation that the respondent be reinstated to the practice of law in the State of West Virginia.

It is therefore Adjudged and Ordered that the license and authority of the respondent, Thomas E. White, to practice law in the State of West Virginia, be, and the same hereby is, reinstated.

A True Copy

Attest:


Clerk, Supreme Court of Appeals

BEFORE THE COMMITTEE ON LEGAL ETHICS
OF THE
WEST VIRGINIA STATE BAR

IN RE: THOMAS E. WHITE, a member of
 The West Virginia State Bar

I.D. No. 92-059

SUBCOMMITTEE FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND RECOMMENDATIONS CONCERNING DISCIPLINE

This matter came on for hearing on the 18th day of December, 1993, pursuant to the Petition for Reinstatement to Practice Law. The hearing was before Charles M. Love, III, Esquire by agreement of the Petitioner. Appearing were the Petitioner, Thomas E. White, in person and by counsel, J. Timothy DiPiero, Esq., and the West Virginia State Bar by counsel, Ellen F. Golden. Testimony was given by the Petitioner and by G. Charles Hughes, Esq.

Upon consideration of the petition, the testimony and evidence offered herein, the Hearing Panel of the Committee on Legal Ethics does hereby make the following Findings of Fact, Conclusions of Law, and Recommendations:

FINDINGS OF FACT

1. Thomas E. White, (hereinafter Petitioner), is a suspended member of The West Virginia Bar for a period of two years retroactive to January 2, 1992, pursuant to this Court's decision in The Committee on Legal Ethics v. Thomas E. White, 189 W.Va. 135, 428 S.E.2d 556 (1993).

2. Petitioner has been continuously employed as a legal assistant with the law firm of G. Charles Hughes, L.C., Seventh at Court Avenue, Moundsville, West Virginia 26041 since September 1992, during which time the Petitioner has not held himself out to be a practicing attorney.

3. The Petitioner has fulfilled the following requirements:

- a. Paid the cost of the proceedings in which the Petitioner was suspended in the amount of \$1,877.64;
- b. Attended and received more than 38.3 hours of approved mandatory continuing legal education credit, including at least 5.2 hours of ethics credit from March 1993 to the present;

- c. Has obeyed all orders, rules, regulations, and laws known to him and has in all respects during his suspension been an honorable citizen; and
 - d. Has tendered the full amount of West Virginia State Bar membership dues for the current year.
4. Petitioner has not used controlled substances for a period of 3-1/2 years.
5. There was no person to which restitution was due or ordered.
6. Petitioner has consistently conducted his personal and professional affairs in an exemplary and honorable fashion during his suspension and has become involved in the improvement of the community in which he lives and works.
7. The State Bar does not object to restoring Petitioner's license to practice law.

CONCLUSIONS OF LAW


8. Petitioner has fulfilled all requirements set-forth by this Court in Committee on Legal Ethics v. Thomas E. White, Id. and has fulfilled all the requirements set-forth in the By-Laws of The West Virginia State Bar.
9. The suspension ordered by this Court effectively disciplined the Petitioner, served as a deterrent to other members of The West Virginia State Bar and restored public confidence in the ethical standards of the legal profession.
10. Public trust and confidence has been restored to the Office of the Prosecuting Attorney as well as in the integrity of the Petitioner.

RECOMMENDATION

The Hearing Panel of the Committee on Legal Ethics recommends that the license to practice law be restored to the Petitioner, Thomas E. White.

The Hearing Panel further recommends that the Petitioner's reinstatement to practice law be expedited.

Respectfully submitted,


CHARLES M. LOVE, III, ESQ. CHAIR
Committee on Legal Ethics of
The West Virginia State Bar

Date: November 23, 1993

KATHERINE B. BERCKER

Date: _____

SISTER MONA FARTHING

Date: _____

PRISCILLA HADEN

Date: _____

ALAN D. MOATS, ESQUIRE

Date: _____

R. KEMP MORTON, ESQUIRE

Date: _____

C. BLAINE MYERS, ESQUIRE

Date: _____

DAVID J. ROMANO, ESQUIRE

Date: _____

ELISABETH ROSE, ESQUIRE

Date: _____

DEBRA K. SULLIVAN

Date: _____

DWANE L. TINSLEY, ESQUIRE

Date: _____

The Hearing Panel further recommends that the Petitioner's reinstatement to practice law be expedited.

Respectfully submitted,

CHARLIE M. LOVE, III, ESQ. CHAIR
Committee on Legal Ethics of
The West Virginia State Bar

Date: _____

KATHERINE B. BERCKER

Date: _____

Sister Mona Farthing
SISTER MONA FARTHING

Date: December 28, 1993

PRISCILLA HADEN

Date: _____

ALAN D. MOATS, ESQUIRE

Date: _____

R. KEMP MORTON, ESQUIRE

Date: _____

C. BLAINE MYERS, ESQUIRE

Date: _____

DAVID J. ROMANO, ESQUIRE

Date: _____

ELISABETH ROSE, ESQUIRE

Date: _____

DEBRA K. SULLIVAN

Date: _____

DWANE L. TINSLEY, ESQUIRE

Date: _____

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SISTER MONA FARTHING

Date: _____

Priscilla Haden
PRISCILLA HADEN

Date: December 28, 1993

ALAN D. MOATS, ESQUIRE

Date: _____

R. KEMP MORTON, ESQUIRE

Date: _____

C. BLAINE MYERS, ESQUIRE

Date: _____

DAVID J. ROMANO, ESQUIRE

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R. KEMP MORTON, ESQUIRE

Date: _____

C. BLAINE MYERS, ESQUIRE

Date: _____

David J. Romano
DAVID J. ROMANO, ESQUIRE

Date: *January 3, 1994*

ELISABETH ROSE, ESQUIRE

Date: _____

DEBRA K. SULLIVAN

Date: _____

DWANE L. TINSLEY, ESQUIRE

Date: _____

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Date: _____

DAVID J. ROMANO, ESQUIRE

Date: _____

ELISABETH ROSE, ESQUIRE

Date: _____

Debra K. Sullivan
DEBRA K. SULLIVAN

Date: 12-23-93

DWANE L. TINSLEY, ESQUIRE

Date: _____

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Respectfully submitted,

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C. BLAINE MYERS, ESQUIRE

Date: _____

DAVID J. ROMANO, ESQUIRE

Date: _____

Elisabeth Rose
ELISABETH ROSE, ESQUIRE

Date: 12/23/93

DEBRA K. SULLIVAN

Date: _____

DWANE L. TINSLEY, ESQUIRE

Date: _____