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OFFICE OF  
DISCIPLINARY COUNSEL

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 7<sup>th</sup> of March, 2013, the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 12-0468

Michael F. Niggeymyer, a member of  
The West Virginia State Bar, Respondent

On a former day, to-wit, January 25, 2013, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by John W. Cooper, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommended disposition in this matter, recommending that: (1) respondent be suspended from the practice of law in the State of West Virginia for a period of eighteen months; (2) respondent comply with the duties of a suspended lawyer as outlined in Rule 3.28, Rules of Lawyer Disciplinary Procedure; (3) respondent be required to satisfy and to provide proof of full payment and satisfaction of the August 31, 2011 Judgment entered by the Magistrate Court of Marion County in favor of Complainant Gretchen Seipp, as reflected in the December 19, 2011 Writ of Execution; (4) respondent be required to petition to be reinstated to the practice of law pursuant to the Rules of Lawyer Disciplinary Procedure; (5) prior to petitioning to be reinstated to the practice of law that respondent be required to take an additional six hours of continuing legal education in the area of ethics; (6) prior to petitioning to be reinstated to the practice of law that respondent be required to pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure and provide proof of satisfaction of the judgment as set forth in number 3 above; and (7) if respondent is successfully reinstated in the future, that upon

reinstatement, he be placed on two years probation with supervised practice by an active attorney in his geographic area in good standing with the West Virginia State Bar.

Thereafter, on February 15, 2013, came the Office of Disciplinary Counsel, by Rachael L. Fletcher Cipoletti, Chief Lawyer Disciplinary Counsel, and stated no objection to the recommendation. No objection to the recommendation was filed by the respondent.

Upon consideration whereof, the Court does concur with the recommendation and doth hereby approve the recommendation of the Hearing Panel Subcommittee.

It is therefore ordered that: (1) the respondent be, and he hereby is, suspended from the practice of law in the State of West Virginia for a period of eighteen months; (2) respondent shall comply with the duties of a suspended lawyer as outlined in Rule 3.28, Rules of Lawyer Disciplinary Procedure; (3) respondent shall be required to satisfy and to provide proof of full payment and satisfaction of the August 31, 2011 Judgment entered by the Magistrate Court of Marion County in favor of Complainant Gretchen Seipp, as reflected in the December 19, 2011 Writ of Execution; (4) if respondent seeks reinstatement he shall be required to petition to be reinstated to the practice of law pursuant to the Rules of Lawyer Disciplinary Procedure; (5) prior to petitioning to be reinstated to the practice of law respondent shall be required to complete an additional six hours of continuing legal education in the area of ethics, in addition to hours required during the two-year reporting period in which he seeks reinstatement; (6) prior to petitioning to be reinstated to the practice of law respondent shall pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure; and (7) if respondent is successfully reinstated to the practice of law, upon reinstatement the Court shall consider that he be placed on two years probation with supervised practice by an active attorney in his geographic area in good standing with the West Virginia State Bar.

Service of a copy of this order upon all parties herein shall constitute sufficient notice of the contents herein.

A True Copy

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

