

NOV 19 2009

CLERK OF COURT
SUPREME COURT OF OHIO

The Supreme Court of Ohio

Case No. 2009-1144

Disciplinary Counsel,
Relator,
v.
Justin Martus Smith,
Respondent.

ON CERTIFIED REPORT BY THE
BOARD OF COMMISSIONERS ON
GRIEVANCES AND DISCIPLINE OF
THE SUPREME COURT

ORDER

The Board of Commissioners on Grievances and Discipline filed its final report in this court on June 22, 2009, recommending that pursuant to Rule V(6)(B)(5) of the Supreme Court Rules for the Government of the Bar of Ohio the respondent, Justin Martus Smith, be publicly reprimanded. Respondent filed objections to said final report, relator filed an answer, and this cause was considered by the court. On consideration thereof,

It is ordered and adjudged by this court that pursuant to Gov.Bar R. V(6)(B)(5), respondent, Justin Martus Smith, Attorney Registration Number 0072044, last known business address in Cleveland, Ohio, be publicly reprimanded, and this entry shall constitute the public reprimand. Should respondent be found guilty of subsequent misconduct, this public reprimand shall be considered as a factor that may justify an increase in the degree of discipline to be imposed for subsequent misconduct.

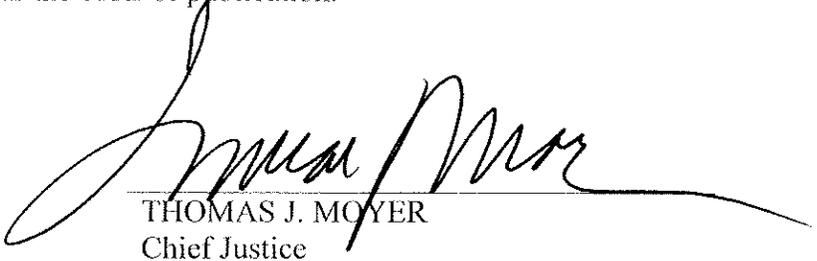
It is further ordered that respondent be taxed the costs of these proceedings in the amount of \$2,131.31, which costs shall be payable to this court by certified check or money order on or before 90 days from the date of this order. It is further ordered that if these costs are not paid in full on or before 90 days from the date of this order, interest at the rate of 10% per annum shall accrue as of 90 days from the date of this order, on the balance of unpaid board costs. It is further ordered that if costs are not paid in full on or before 90 days from the date of this order, the matter may be referred to the Attorney General for collection and respondent may be found in contempt and may be suspended until costs, including accrued interest, are paid in full.

It is further ordered, sua sponte, by the court, that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded against the respondent by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered, sua sponte, by the court that if, after the date of this order, the Clients' Security Fund awards any amount against the respondent pursuant to Gov.Bar R. VIII(7)(F), the respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award.

It is further ordered, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings. All case documents are subject to Rules 44 through 47 of the Rules of Superintendence of Ohio which govern access to court records.

It is further ordered, sua sponte, that service shall be deemed made on respondent by sending this order, and all other orders in this case, to respondent's last known address.

It is further ordered that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.



THOMAS J. MOYER
Chief Justice