

FILED

# The Supreme Court of Ohio

SEP 07 2011

Case No. 2011-0694

CLERK OF COURT  
SUPREME COURT OF OHIO

Akron Bar Association,  
Relator,  
v.  
E. Earl Miller,  
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 April 27, 2011, recommending that pursuant to Rule V(6)(B)(3) of the Supreme Court Rules for the Government of the Bar of Ohio respondent, E. Earl Miller, be suspended from the practice of law for a period of six months with the entire six months stayed on conditions. Respondent filed no objections to said final report, 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)(3) and consistent with the opinion rendered herein, respondent, E. Earl Miller, Attorney Registration Number 0077426, last known business address in Tallmadge, Ohio, be suspended from the practice of law for a period of six months with the entire six months stayed on the conditions that respondent: 1) serve a one-year period of probation pursuant to Gov.Bar R.V(9); and 2) continue successful treatment by his doctor and his therapist during the probation period. It is further ordered that if respondent fails to comply with these conditions, the stay will be lifted and respondent shall serve the six months' actual suspension followed by a one-year period of probation.

It is further ordered that on or before 30 days from the date of this order, relator shall file the name of an attorney who will monitor respondent during the probation. It is further ordered that at the end of the probationary period, relator file a report with this court indicating whether respondent has complied with the terms of probation including monitoring.

It is further ordered that respondent be taxed the costs of these proceedings in the amount of \$2,141.50, which costs shall be payable to this court by cashier's 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 and the matter may be referred to the Attorney General for collection. Respondent may be held in contempt and suspended until costs and all accrued interest, are paid in full.

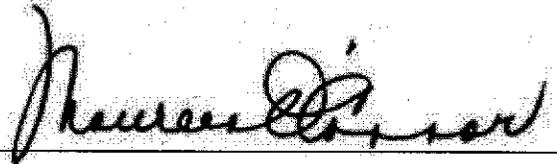
It is further ordered, sua sponte, by the court, that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded against the respondent by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered, sua sponte, by the court that if,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

It is further ordered that at the end of the probationary period respondent may apply for termination of probation. It is further ordered that respondent's probation will not be terminated until (1) respondent files an application for termination of probation in accordance with Gov.Bar R. V(9)(D); (2) relator files a report with the clerk of the Supreme Court indicating that respondent has complied with the terms and conditions of probation during the probationary period; (3) respondent complies with this order and all other orders issued by this Court; (4) respondent complies with the Rules for the Government of the Bar of Ohio; and (5) this court issues an order terminating respondent's probation.

It is further ordered that respondent shall keep the Clerk, the Akron Bar Association, and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

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.

A handwritten signature in black ink, appearing to read "Maureen O'Connor", written over a horizontal line.

Maureen O'Connor  
Chief Justice