

The Supreme Court of Ohio

FILED

AUG 12 2015

Mahoning County Bar Association,
Relator,

v.

Dennis Armand DiMartino,
Respondent.

Case No. 2014-2250

CLERK OF COURT
SUPREME COURT OF OHIO

ORDER TO SHOW CAUSE

The Board of Commissioners on Grievances and Discipline¹ of the Supreme Court of Ohio filed a certification of default in the office of the clerk of this court on December 29, 2014. In this certification of default, the board certified that respondent, Dennis Armand DiMartino, Attorney Registration No. 0039270, failed to file an answer to a formal complaint pending before the board. On January 23, 2015, relator, Mahoning County Bar Association, filed an objection to certification of default and response to order to show cause. On February 12, 2015, the court remanded this matter to the board for further proceedings.

On August 11, 2015, the board filed a report on remand recommending that, pursuant to Gov.Bar R. V(12)(A)(2), respondent, Dennis Armand DiMartino, Attorney Registration No. 0039270, be indefinitely suspended from the practice of law and ordered to make restitution in the amount of \$4,600 to Ember Herrington and Rita Chegar within sixty days of the date of this court's disciplinary order. The board further recommends that respondent's reinstatement to the practice of law be conditioned upon a mental health evaluation and a plan of treatment as well as appropriate continuing legal education courses in law office management, specifically in the area of IOLTA accounts. The board further recommends that the costs of these proceedings be taxed to respondent in any disciplinary order entered, so that execution may issue.

On consideration thereof, it is ordered by the court that the parties show cause why the recommendation of the board should not be confirmed by the court and the disciplinary order so entered.

It is further ordered that any objections to the findings of fact and recommendation of the board, together with a brief in support thereof, shall be due on or before 20 days from the date of this order. It is further ordered that an answer brief may be filed on or before 15 days after any brief in support of objections has been filed.

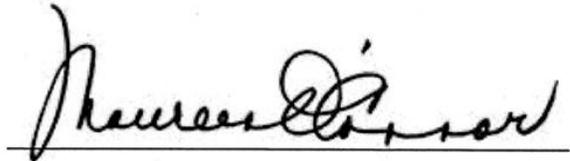
After a hearing on the objections, or if no objections are filed within the prescribed time, the court shall enter such order as it may find proper which may be the discipline recommended by the board or which may be more severe or less severe than said recommendation.

It is further ordered 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 and further that unless clearly

¹ Effective January 1, 2015, the Board of Commissioners on Grievances and Discipline has been renamed the Board of Professional Conduct. See Gov.Bar R. V(1)(A), 140 Ohio St.3d CII.

inapplicable, the Rules of Practice shall apply to these proceedings. All documents are subject to Sup.R. 44 through 47 which govern access to court records.

It is further ordered 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.

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

Maureen O'Connor
Chief Justice