

ORIGINAL

BEFORE THE BOARD OF COMMISSIONERS
ON
GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

11-0379

FILED
MAR 08 2011
CLERK OF COURT
SUPREME COURT OF OHIO

| | | |
|----------------------------------|---|-------------------------------------|
| In Re: | : | |
| Complaint against | : | Case No. 10-053 |
| Carolyn Kaye Ranke | : | Findings of Fact, |
| Attorney Reg. No. 0043735 | : | Conclusions of Law and |
| | : | Recommendation of the |
| Respondent | : | Board of Commissioners on |
| | : | Grievances and Discipline of |
| Disciplinary Counsel | : | the Supreme Court of Ohio |
| | : | |
| Relator | : | |
| | : | |

This matter was referred to Master Commissioner, Joseph L. Wittenberg, on December 1, 2010, by the Secretary of the Board pursuant to Gov. Bar R. V(6)(F)(2) for a ruling on Relator's motion for default judgment. Master Commissioner Wittenberg then proceeded to prepare this report pursuant to Gov. Bar R. V(6)(J).

PROCEDURAL HISTORY

This action commenced with the filing of a complaint against Respondent by Relator on June 14, 2010. On June 14, 2010, a probable cause panel found that probable cause existed for the filing of a formal complaint and ordered that the complaint be certified to the Board.

Respondent was served by certified mail with a copy of the complaint on June 16, 2010 and the receipt certifying the complaint was received and signed by a H. Snyder on June 16,

2010.¹ Respondent has not filed an answer or any other pleadings to the complaint. Relator's motion for default judgment was filed November 30, 2010.

Relator has made many efforts to contact Respondent regarding the grievances that form the basis of the complaint. On July 7, 2009, Relator received a notice of insufficient funds in Respondent's FirstMerit Bank IOLTA account. (Ex. 1) On July 16, 2009, Relator sent Respondent a letter of inquiry with a copy of the insufficiency notice by certified mail to her business address at 323 West Lakeside Avenue, Suite 420, Cleveland, Ohio 44113. (Ex. 2) Relator received a return receipt signed by Snyder of Respondent's office indicating that on July 20, 2009, Respondent received Relator's July 16, 2009 letter inquiry. Relator's July 16, 2009 letter of inquiry asked Respondent to respond to Relator by July 30, 2009, but Respondent did not respond.

On August 12, 2009, Relator sent a second letter of inquiry concerning the IOLTA account matter by certified mail to Respondent at her business address, stated above. (Ex. 3) Relator received a return receipt signed by Snyder indicating that on August 17, 2009, Respondent received Relator's August 12, 2009 letter of inquiry. Relator's August 12, 2009 letter of inquiry asked Respondent to respond to Relator immediately and stated that failure to do so may necessitate the issuance of a subpoena. Respondent did not respond.

On September 2, 2009, Relator sent a subpoena by certified mail to Respondent requiring her appearance at Relator's office on September 16, 2009, to testify about the transactional activity in her IOLTA account and her record keeping of client funds. (Ex. 4) The subpoena requested that Respondent bring a copy of her client ledgers to the deposition. Relator received a

¹ H. Snyder is Heather Snyder who worked at Respondent's office building and signed for certified mail addressed to Respondent's office.

return receipt signed by Snyder indicating that on September 8, 2009, Respondent received the subpoena for her September 16, 2009 deposition. However, Respondent did not appear for her deposition or advise Relator before the September 16, 2009 deposition that she would not appear. (Ex. 5) On September 18, 2009, Relator sent a second subpoena by certified mail to Respondent requiring her appearance at Relator's office on September 24, 2009, to testify about the transactional activity in her IOLTA account and her record keeping of client funds. (Ex. 6) The subpoena requested that Respondent bring a copy of her client ledgers to the deposition.

On September 24, 2009, Respondent appeared for her deposition but failed to bring a copy of her client ledgers as requested. At the September 24, 2009 deposition, Respondent admitted that she received Relator's July 16, 2009 and August 12, 2009 letters of inquiry that were signed for by Snyder and that she did not respond to the letters. Respondent was advised that her failure to respond to Relator's letters of inquiry may constitute a violation of the disciplinary rules. In response, Respondent acknowledged her obligation to cooperate with a disciplinary investigation and promised to cooperate in the future. (See Respondent's deposition, filed November 29, 2010).

On October 14, 2009, Relator received a grievance from Tierra Wilson against Respondent. (Ex. 7) On October 19, 2009, Relator sent Respondent a letter of inquiry with a copy of Wilson's grievance by certified mail to her business address, listed above. (Ex. 8) Respondent responded to Relator's October 29, 2009 letter of inquiry by requesting until November 6, 2009 to respond. Despite the granting of Respondent's request for additional time, Relator did not receive a response from Respondent by November 6, 2009.

On November 12, 2009, Relator sent a second letter of inquiry concerning Wilson's grievance by certified mail to Respondent at her business address stated above. (Ex. 9) Relator

received a return receipt signed by Snyder indicating that on November 17, 2009, Respondent received Relator's November 12, 2009 letter of inquiry. Relator's November 12, 2009 letter of inquiry asked Respondent to respond to Relator immediately and warned that failure to do so may necessitate the issuance of a subpoena. However, Respondent did not respond.

On February 8, 2010, Relator sent a third letter of inquiry concerning Wilson's grievance by certified mail to Respondent at her business address, stated above. (Ex. 10) Relator received a return receipt signed by Snyder indicating that on February 10, 2010, Respondent received Relator's February 8, 2010 letter of inquiry. Relator's February 8, 2010 letter of inquiry asked Respondent to respond to Relator immediately and failure to do so will result in the filing of a disciplinary complaint against Respondent. However, Respondent never responded.

After Respondent's failure to cooperate with Relator's investigation of this matter, Relator concluded its investigation and submitted a formal complaint against Respondent that was filed with the Board on June 14, 2010. Respondent did not file an answer to the complaint. On October 18, 2010, assistant Disciplinary Counsel Philip A. King called Respondent's office and spoke with Respondent's paralegal, Sheila Thorne. Respondent was away from her office but Sheila Thorne stated that Respondent would return King's call on October 20, 2010. (See King's attached affidavit)

On October 20, 2010, King received a telephone call from Respondent. During the conversation, Respondent acknowledged receipt of the complaint and stated that she would file her answer within two weeks. Over two weeks passed and Respondent did not file an answer to the complaint.

The materials offered in support of the motion are sworn to and sufficient to satisfy the clear and convincing standard. See *Dayton Bar Assn. v. Sebree*, 104 Ohio St.3d 448, 2004-

FINDINGS OF FACT

Based upon the materials offered in support of the motion for default, the following findings are made by clear and convincing evidence:

1. Respondent, Carolyn Kaye Ranke, was admitted to the practice of law in the State of Ohio on November 6, 1989. Respondent is subject to the Rules of Professional Conduct and the Rules for the Government of the Bar of Ohio.

2. With respect to Count 1 of the complaint, in the middle of 2007, Respondent left her employment at the law firm of Brent Coon and Associates and began working as a sole practitioner. (See Respondent's deposition, filed on November 29, 2010.) Respondent primarily practices in the areas of criminal defense, personal injury and domestic relations.

3. Since 1999, Respondent has maintained an IOLTA account at FirstMerit Bank. The ending IOLTA account number is 0805.

4. Respondent is the only authorized user of her FirstMerit Bank IOLTA account.

5. Since 1999, Respondent has maintained a business operating account at FirstMerit Bank.

6. Respondent also maintains a personal checking account jointly with her husband at FirstMerit Bank.

7. On March 31, 2010, Relator received copies of Respondent's IOLTA account records for August 1, 2008 through January, 2010 in response to its subpoena that revealed misuses of Respondent's IOLTA account. (Ex. 11)

8. On October 8, 2008, Respondent deposited \$10,000 that belonged entirely to her client, Christopher Jerry, into her IOLTA account. (See deposition of Respondent filed with Board and Ex. 12).

9. Respondent agreed to use the \$10,000 to pay Jerry's bills and to provide this service at no charge.

10. Afterwards, Respondent wrote six IOLTA checks to Jerry and his creditors on Jerry's behalf totaling \$9,483.75. (See deposition of Respondent, and Ex. 13-18)

11. Respondent's representation of Jerry ended in July 2009. (Ex. 19) However, Respondent has failed to return \$516.25 in client funds, which she received in October 2008, that belong to Jerry.

12. On June 8, 2009, four months before Respondent received funds belonging to her client, Shanese McClain, Respondent used her IOLTA account to advance McClain \$1,000 for expenses unrelated to court costs or litigation expenses. (Ex. 20 and 21)

13. None of the funds in Respondent's IOLTA account belonged to McClain when the \$1,000 advancement was made.

14. With respect to Count 2 of the complaint, Tierra Wilson was convicted of felonious assault and child endangerment in Cuyahoga County, Ohio on August 29, 2008. (Ex. 22)
Respondent represented Wilson during the criminal trial.

15. After her conviction, the court appointed attorney John Castele to represent Wilson in her criminal appeal.

16. On October 10, 2008 attorney Castele filed a notice of appeal for Wilson in the Eighth District Court of Appeals. (Ex. 23)

17. In January 2009, Respondent replaced attorney Castele as Wilson's attorney in Wilson's

criminal appeal.

18. On January 27, 2009, Respondent filed a Notice of Appearance in Wilson's appeal, and attorney Castele immediately filed a motion to withdraw as Wilson's appellate counsel. (Ex. 24)

19. On February 4, 2009, the appellate court granted attorney Castele's request to withdraw and acknowledged Respondent's appearance as Wilson's appellate counsel. (Ex. 25)

20. As a result, Respondent assumed responsibility for representing Wilson in the appeal of her conviction.

21. The court records reflect that Respondent requested an extension to file Wilson's brief and that the court granted Respondent four extensions to file the brief. (Ex. 26-29)

22. However, Respondent never filed Wilson's appellate brief. The Eighth Appellate District Court of Appeals dismissed Wilson's appeal for Respondent's failure to file a brief. (Ex. 30)

23. Since Respondent's appearance in the appellate case, Wilson has written several letters to Respondent asking about the progress of the appeal. (Ex. 22)

24. Respondent never responded to Wilson's letters or told Wilson that her criminal appeal was dismissed.

25. With respect to Count 3, Respondent has failed to cooperate in this disciplinary matter. The facts supporting Count 3 of the complaint are set forth above describing the efforts made to contact Respondent, and Respondent's lack of cooperation.

CONCLUSIONS OF LAW

Relator alleges that Respondent has violated the following Rules of Professional Conduct with respect to Count 1:

Prof. Cond. R. 1.8(e) [a lawyer shall not provide financial assistance to client for

expenses other than court or litigation costs];

Prof. Cond. R. 1.15(a)(2) [a lawyer shall maintain a record for each client on whose behalf funds are held];

Prof. Cond. R. 1.15(a)(5) [a lawyer shall perform and retain a monthly reconciliation of the funds in his trust account]; and

Prof. Cond. R. 1.15(d) [a lawyer shall promptly deliver funds or other property that the client is entitled to receive].

Based upon the attached exhibits and the above findings of fact, the Master Commissioner finds by clear and convincing evidence that Respondent violated the four Rules of Professional Conduct charged by Relator in Count 1.

Relator alleges that Respondent has violated the following Rules of Professional Conduct with respect to Count 2.

Prof. Cond. R. 1.2(a) [a lawyer shall not intentionally fail to seek the lawful objectives of his clients];

Prof. Cond. R. 1.3 [a lawyer shall act with reasonable diligence and promptness in representing a client];

Prof. Cond. R. 1.4(a)(3) [a lawyer shall keep the client reasonably informed about the status of a legal matter];

Prof. Cond. R. 8.4(d) [conduct that is prejudicial to the administration of justice]; and

Prof. Cond. R. 8.4(h) [conduct that adversely reflects on the lawyer's fitness to practice law].

Based upon the attached exhibits and the above findings of fact, the Master Commissioner finds by clear and convincing evidence that Respondent violated the five Rules of Professional Conduct charged in Count 2.

Relator alleges that Respondent has violated the following Rules of Professional Conduct with respect to Count 3:

Prof. Cond. R. 8.1(b) [in response to a demand for information from a disciplinary authority, a lawyer shall not knowingly fail to respond]; and

Gov. Bar R. V(4)(G) [failing to cooperate with a disciplinary investigation].

Based upon the attached exhibits and the above findings of fact, the Master Commissioner finds by clear and convincing evidence that Respondent violated Prof. Cond. R. 8.1(b) and Gov. Bar R. V(4)(G).

AGGRAVATION AND MITIGATION

BCGD Proc. Reg. 10 sets forth the factors to be considered with regard to mitigation.

There is no evidence of any factor under BCGD Proc. Reg. 10(B)(2) that mitigates Respondent's misconduct in this matter.

Matters to be considered in aggravation of discipline are (a) prior disciplinary offense; (b) dishonest or selfish motive; (c) a pattern of misconduct; (d) multiple offenses; (e) lack of cooperation in the disciplinary process; (f) submission of false evidence, false statements, or other deceptive practices during the disciplinary process; (g) refusal to acknowledge wrongful nature of conduct; (h) vulnerability of and resulting harm to victims of the misconduct; and (i) failure to make restitution. See BCGD Proc. Reg. 10 (B)(1)(a)-(i).

The Master Commissioner finds Respondent guilty of multiple offenses, lack of cooperation in the disciplinary process, refusal to acknowledge wrongful nature of conduct, and vulnerability of and resulting harm to the victims of the misconduct.

In addition, Respondent has a prior disciplinary offense. In *Cleveland Metro. Bar Assn. v. Ranke*, 127 Ohio St.3d 126, 2010-Ohio-5036, Respondent was given a public reprimand for failure to obtain clients' consent to forego responding to a motion for summary judgment and neglect of an entrusted legal matter.

RECOMMENDED SANCTION

Relator recommends a sanction of an indefinite suspension.

In this matter, Respondent has committed multiple offenses. Specifically, Respondent did not return client funds belonging to Christopher Jerry, she used her IOLTA account to advance non-litigation expenses to another client, she failed to maintain client ledgers and failed to reconcile her IOLTA account on a monthly basis. In addition, Respondent neglected Tierra Wilson's criminal appeal resulting in its dismissal. This not only prejudiced the administration of justice concerning Wilson's appeal, but adversely reflected on Respondent's fitness to practice law. Moreover, Respondent did not cooperate with Relator's investigation or participate in these disciplinary proceedings.

It has been the Supreme Court's position that "a lawyer's neglect of legal matters and failure to cooperate in the ensuing disciplinary investigation generally warrant an indefinite suspension from the practice of law in Ohio." *Akron Bar Assn. v. Goodlet*, 115 Ohio St.3d 7, 10, 2007-Ohio-4271. For example, in *Columbus Bar Assn. v. Emerson*, 84 Ohio St.3d 375, 1999-Ohio-482, the Court imposed an indefinite suspension on an attorney for engaging in neglect and misrepresentation in five separate cases and failing to cooperate in the disciplinary investigation. Also, in *Cleveland Bar Assn. v. Davis*, 121 Ohio St.3d 337, 2009-Ohio-764, the Court imposed an indefinite suspension where an attorney received retainers, failed to pursue clients' claims, failed to return retainers and a file, dismissed a case without his client's consent and failed to cooperate in the disciplinary investigation. In *Disciplinary Counsel v. Ohlin*, 126 Ohio St.3d 384, 2010-Ohio-3826, the Court gave the respondent an indefinite suspension for misconduct involving neglect and failing to cooperate in the disciplinary investigation.

In *Dayton Bar Assn. v. Wilson, aka Camp*, 127 Ohio St.3d 10, 2010-Ohio-4937, the Court

found ethical misconduct by an attorney who had written a bad trust account check to satisfy her promise to refund a client's retainer, incompetently handled, then neglected two other client matters and failed to cooperate in the disciplinary investigations. The Court in *Wilson* sanctioned the respondent with an indefinite suspension.

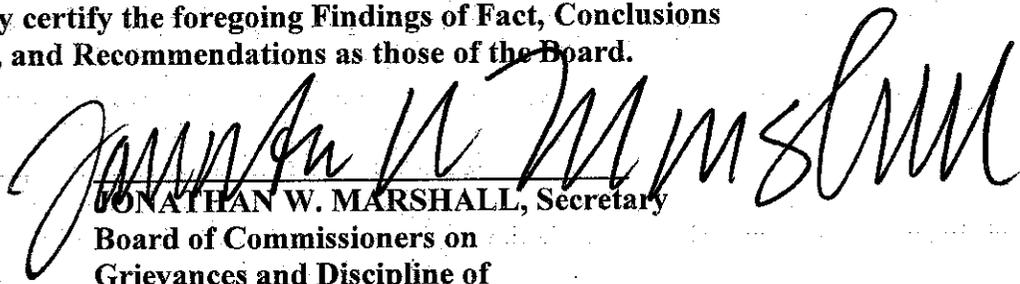
Just as in *Ohlin* and *Wilson*, Respondent here failed to maintain accurate records of the funds held in her client trust account, failed to promptly deliver funds that a client was entitled to receive, and failed to provide diligent legal representation to her client. When Relator attempted to investigate Respondent's conduct, she failed to cooperate with Relator's investigation.

Based upon the facts of this case, and the cases cited above, the Master Commissioner finds that Relator's recommended sanction is acceptable, and therefore, the Master Commissioner recommends that Respondent be indefinitely suspended from the practice of law.

RECOMMENDATION

Pursuant to Gov. Bar Rule V(6)(L), the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio considered this matter on February 11, 2011. The Board adopted the Findings of Fact, Conclusions of Law and Recommendation of the Master Commissioner and recommends that Respondent, Carolyn Kaye Ranke, be suspended from the practice of law in the State of Ohio indefinitely. The Board further recommends that the cost of these proceedings be taxed to Respondent in any disciplinary order entered, so that execution may issue.

Pursuant to the order of the Board of Commissioners on
Grievances and Discipline of the Supreme Court of Ohio,
I hereby certify the foregoing Findings of Fact, Conclusions
of Law, and Recommendations as those of the Board.



JONATHAN W. MARSHALL, Secretary
Board of Commissioners on
Grievances and Discipline of
the Supreme Court of Ohio

STATE OF OHIO)

)

SS: AFFIDAVIT OF PHILIP A. KING, ESQ.

COUNTY OF FRANKLIN)

I, Philip A. King, Esq., being first duly cautioned, hereby affirm and state that I have personal knowledge of the following:

1. I am at least 18 years old and I am competent to testify.
2. I am the Assistant Disciplinary Counsel serving as counsel for relator, Disciplinary Counsel, in the case captioned *Disciplinary Counsel v. Ranke*, Board Number 10-053. Attorney Carolyn Kaye Ranke is the respondent in this matter.
3. The file materials in this matter contain the following:
 - Grievance of Tierra Wilson
 - Notice of Insufficient funds concerning respondent's IOLTA account
 - Letter of Inquiry dated July 16, 2009, from relator to respondent
 - Second Letter of Inquiry dated August 12, 2009, from relator to respondent
 - Subpoena regarding respondent's September 16, 2009 deposition
 - Certification of Nonappearance for September 16, 2009 deposition
 - Subpoena regarding respondent's September 24, 2009 deposition
 - Transcript of respondent's deposition taken on September 24, 2009
 - Letter of Inquiry dated October 19, 2009, from relator to respondent
 - Second Letter of Inquiry dated November 12, 2009, from relator to respondent
 - Third Letter of Inquiry dated February 8, 2010, from relator to respondent
 - Respondent's First Merit Bank IOLTA account records from August 1, 2008 through January 2010.
 - IOLTA deposit for \$10,000 on October 8, 2008
 - IOLTA Check # 1135
 - IOLTA Check # 1137
 - IOLTA Check # 1138
 - IOLTA Check # 1139
 - IOLTA Check # 1140
 - IOLTA Check # 1141

- Closing Statement for Christopher Jerry
 - IOLTA Check # 1143
 - IOLTA deposit of \$204,981.74 for Shanese McClain on October 7, 2009
 - Affidavit of Tierra Wilson
 - Notice of Appeal for Tierra Wilson by Attorney John Castele
 - Notice of Appearance by respondent
 - Motion to Withdraw by Attorney John Castele
 - Order granting Attorney John Castele's Motion to Withdraw
 - Motion for extension of time by respondent
 - Order granting respondent until February 23, 2009, to file brief
 - Order granting respondent until March 9, 2009, to file brief
 - Order granting respondent until March 13, 2009, to file brief
 - Order granting respondent until March 18, 2009, to file brief
 - Order dismissing appeal for failure to file brief
4. On July 7, 2009, relator received a notice of insufficient funds in respondent's First Merit Bank Interest on Lawyer's Trust Account (IOLTA) account.
 5. On July 16, 2009, I sent respondent a letter of inquiry with a copy of the insufficiency notice by certified mail to her business address at 323 West Lakeside Avenue, Suite 420, Cleveland, Ohio 44113.
 6. I received a return receipt signed by H. Snyder (Heather Snyder) of respondent's office indicating that on July 20, 2009, respondent received my July 16, 2009 letter of inquiry. Heather Snyder worked at respondent's office building and signed for certified mail addressed to respondent's office. My July 16, 2009 letter of inquiry letter asked respondent to respond to relator by July 30, 2009, but she did not respond.
 7. On August 12, 2009, I sent a second letter of inquiry concerning the IOLTA account matter by certified mail to respondent at her business address stated above. I received a return receipt signed by Snyder indicating that on August 17, 2009, respondent received my August 12, 2009 letter of inquiry.
 8. My August 12, 2009 letter of inquiry letter asked respondent to respond to me immediately and stated that failure to do so may necessitate the issuance of a subpoena. Again, respondent did not respond.

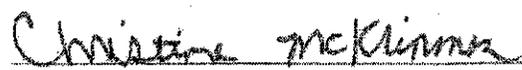
9. On September 2, 2009, I sent a subpoena by certified mail to respondent requiring her appearance at relator's office on September 16, 2009, to testify about the transactional activity in her IOLTA account and her recordkeeping of client funds. Also, the subpoena requested that respondent bring a copy of her client ledgers to the deposition.
10. I received a return receipt signed by Snyder indicating that on September 8, 2009, respondent received the subpoena for her September 16, 2009 deposition. However, respondent did not appear for her deposition or advise me before the September 16, 2009 deposition that she would not appear.
11. On September 18, 2009, I sent a second subpoena by certified mail to respondent requiring her appearance at relator's office on September 24, 2009, to testify about the transactional activity in her IOLTA account and her recordkeeping of client funds. Again, the subpoena requested that respondent bring a copy of her client ledgers to the deposition.
12. On September 24, 2009, respondent appeared for her deposition but failed to bring a copy of her client ledgers as requested.
13. At the September 24, 2009 deposition, respondent admitted (1) that she received relator's July 16, 2009 and August 12, 2009 letters of inquiry that were signed for by Snyder and (2) that she did not respond to the letters. I advised respondent that her failure to respond to relator's letters of inquiry may constitute a violation of the disciplinary rules. In response, respondent acknowledged her obligation to cooperate with a disciplinary investigation and promised to cooperate in the future.
14. On October 14, 2009, relator received a grievance from Tierra Wilson against respondent alleging the facts described in Count 2 of the Complaint in this matter.
15. On October 19, 2009, I sent respondent a letter of inquiry with a copy of Wilson's grievance by certified mail to her business address at 323 West Lakeside Avenue, Suite 420, Cleveland, Ohio 44113.
16. Respondent responded to my October 19, 2009 letter of inquiry by requesting until November 6, 2009, to respond.
17. Despite my granting respondent's request for additional time, I did not receive a response from respondent by November 6, 2009, as promised.
18. On November 12, 2009, I sent a second letter of inquiry concerning Wilson's grievance by certified mail to respondent at her business address stated above.
19. I received a return receipt signed by Snyder indicating that on November 17, 2009, respondent received my November 12, 2009 letter of inquiry.

20. My November 12, 2009 letter of inquiry letter asked respondent to respond to relator immediately and failure to do so may necessitate the issuance of a subpoena. However, respondent did not respond.
21. On February 8, 2010, I sent a third letter of inquiry concerning Wilson's grievance by certified mail to respondent at her business address stated above. Again, I received a return receipt signed by Snyder indicating that on February 10, 2010, respondent received my February 8, 2010 letter of inquiry.
22. My February 8, 2010 letter of inquiry letter asked respondent to respond to relator immediately and failure to do so will result in the filing of a disciplinary complaint against respondent. However, respondent never responded.
23. On March 31, 2010, relator received copies of respondent's IOLTA account records for August 1, 2008, through January 2010 in response to relator's subpoena.
24. After respondent's failure to cooperate with relator's investigation of this matter, relator concluded his investigation and submitted a Formal Complaint against respondent that was filed with the Board of Commissioners on Grievance and Discipline on June 14, 2010.
25. Respondent did not file an answer to the Complaint.
26. On October 18, 2010, I called respondent's office and spoke with respondent's paralegal, Sheila Thorne. Thorne stated that respondent was away from her office but that respondent would return my call on October 20, 2010.
27. On October 20, 2010, I received a telephone call from respondent. During the conversation, respondent acknowledged receipt of the Complaint and stated that she would file her answer within two weeks. Over two weeks has passed and respondent has not filed her answer.

FURTHER AFFIANT SAYETH NAUGHT.


Philip A. King 0071895
Assistant Disciplinary Counsel

Affirmed before me and subscribed in my presence on November 29, 2010.


Notary Public



Christine McKimmon
Notary Public, State of Ohio
My Commission Expires 08-25-2014

Notice Date:
 07-09-09

Account Number:
 5765000605

Questions?
 330-896-6006 (in Akron)
 1-888-283-2303 (toll free)
 T-800-572-6040 (TDD/TTY)

OFFICE OF DISCIPLINARY COUNSEL
 250 CIVIC CENTER DR. SUITE 325
 COLUMBUS, OHIO 43215

RECEIVED

JUL 07 2009

CLERK, HARRY COUNSEL
 SUPERVISOR OF OHIO

This is a Duplicate Notice for:

CARDLYN KAYE RANKE CO LPA
 323 W LAKESIDE AVE - 420
 CLEVELAND OH

44113-1009

Notice of Insufficient Funds and/or Overdraft and Charges to your Account

This is to notify you that the balance in your account was not enough to cover the checks, withdrawals, deductions or charges presented for payment on 07-02-09. Your ending available balance was \$3,418.13-. Below, we show whether the item/transaction created an Overdraft (because it was paid) or was returned to the payee for Insufficient Funds, and the total amount charged to your account.

| | | |
|---|---|-----------------|
| Beginning balance on 07-02-09 | | \$481.87 |
| Amount of deposits and other additions | + | \$5,000.00 |
| Amount of deposited funds held and not yet available | - | \$4,900.00 |
| Amount of outstanding authorizations and pending items (debit card, ATM transactions, etc.) | - | \$0.00 |
| | | <u>\$100.00</u> |
| Available balance | | <u>\$581.87</u> |
| Amount of items and other debits paid (not listed) | | \$0.00 |
| Amount of items paid that overdraw your account (see detail below) | | \$4,000.00 |
| Amount of items returned (see detail below) | | \$0.00 |
| Ending available balance before NSF/OD fees | | \$3,418.13 - |
| Amount of NSF/OD fees that will be deducted the next business day | | \$33.00 |
| Note: These fee(s) are not included in the available balance above. | | |

Item(s) we paid that overdraw your account

| Description | Amount | Charge |
|--------------------|-------------------|----------------|
| CHECK # 0000001146 | \$4,000.00 | \$33.00 |
| | <u>\$4,000.00</u> | <u>\$33.00</u> |

If you have not done so already, make a deposit to your account to avoid additional overdrafts, returns and charges. FirstMerit is not obligated to allow an overdraft on your account; nor do you have any right in the future to overdraw your account.

Monitoring your account and transactions, and keeping sufficient available funds in your account to cover all of your transactions is the best way to avoid overdrafts and other insufficient funds transactions. Be sure to record all of your transactions - don't forget debit card purchases, ATM withdrawals, electronic bill payments, automatic debits or other transactions. We offer a variety of ways to check your account's available balance: at any FirstMerit branch, by phone (24 hours a day) and through our online banking service at www.firstmerit.com.



Disciplinary Counsel

THE SUPREME COURT OF OHIO

250 CIVIC CENTER DRIVE, SUITE 325

COLUMBUS, OHIO 43215-7411

(614) 461-0256

FAX (614) 461-7205

1-800-589-5256

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CAROL A. COSTA
HEATHER L. HISSOM
PHILIP A. KING
KAREN H. OSMOND
AMY C. STONE

July 16, 2009

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
PERSONAL AND CONFIDENTIAL

Carolyn Kaye Ranke, Esq.
323 West Lakeside Avenue, Suite 420
Cleveland, OH 44113

Re: FILE NO. A9-1655
LETTER OF INQUIRY



Dear Ms. Ranke:

FirstMerit Bank recently informed this office that your IOLTA account had a negative balance on at least one occasion. As we are certain that you are aware, ORC §4705.09 requires that attorneys who handle client funds establish and maintain an interest-bearing account for the purpose of depositing client funds held by the attorney, firm, or association. A failure to properly maintain client funds in this account may constitute a violation of the Code of Professional Responsibility.

Rule V (4)(C) of the Rules for the Government of the Bar requires that we investigate any allegations of misconduct that are filed with us or come to our attention. In accordance with Gov. Bar R. V (11)(E), our investigation will be confidential. Please provide a written response and explanation of the overdraft in as much detail as possible. Your explanation should include a description of the transaction that caused the overdraft including relevant dates, check numbers, etc. Your response should be accompanied by supporting documents and the names, addresses, and daytime telephone numbers of persons with relevant information. You must provide, at a minimum, copies of your monthly statements for your IOLTA account for the month of the overdraft, the month before the overdraft, and the month after the overdraft, the individual client records/ledgers for these same months, and proof that the amount and any overdraft fees have been repaid as well as the source(s) of repayment.

Certified Article Number

7160 3901 9845 9520 1046

SENDERS RECORD

Carolyn Kaye Ranke, Esq.
July 16, 2009
Page 2

Your response should be POSTMARKED NO LATER THAN July 30, 2009. Your cooperation in this matter will be appreciated, and you will be notified in writing of our determination in this matter.

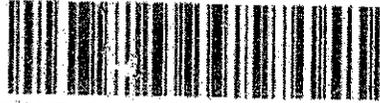
Sincerely,



Philip A. King
Assistant Disciplinary Counsel

PAK/cm
Enclosure (Complaint)

2. Article Number:



7160 3901 9845 9520 1046

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

PERSONAL AND CONFIDENTIAL
CAROLYN KAYE RANKE ESQ
323 WEST LAKESIDE AVE STE 420
CLEVELAND OH 44113

COMPLETE THIS SECTION ON DELIVERY

A. Receiver's Name (Please Print Clearly)

H. Snyder

B. Date of Delivery

7.20.05

C. Signature

X H. Snyder

Agent
 Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

Yes
 No

Reference Information

A8-1655

PAK

UNITED STATES POSTAL SERVICE

PRINT YOUR NAME, ADDRESS AND ZIP CODE BELOW

First Class Mail
US Postage Paid
Permit No. G - 10

OFFICE OF DISCIPLINARY COUNSEL
OF THE SUPREME COURT OF OHIO
250 CIVIC CENTER DR STE 325
COLUMBUS OH 43215-7411

8007

Disciplinary Counsel

THE SUPREME COURT OF OHIO

250 CIVIC CENTER DRIVE, SUITE 325
COLUMBUS, OHIO 43215-7411
(614) 461-0256
FAX (614) 461-7205
1-800-589-5256

DISCIPLINARY COUNSEL

JONATHAN E. COUGHLIN

CHIEF ASSISTANT DISCIPLINARY COUNSEL

LORI J. BROWN

SENIOR ASSISTANT DISCIPLINARY COUNSEL

ROBERT R. BERGER

JOSEPH M. CALIGIURI

ASSISTANT DISCIPLINARY COUNSEL

STACY SOLOCHECK BECKMAN

CAROL A. COSTA

HEATHER L. HISSOM

PHILIP A. KING

KAREN H. OSMOND

AMY C. STONE

August 12, 2009

CERTIFIED MAIL RETURN RECEIPT REQUESTED
PERSONAL AND CONFIDENTIAL

Carolyn Kaye Ranke, Esq.
323 West Lakeside Avenue, Suite 420
Cleveland, OH 44113

Re: A9-1655
Second Letter of Inquiry

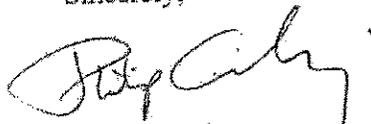
Dear Ms. Ranke:

A Letter of Inquiry was previously sent to you by certified mail, return receipt requested, concerning a grievance filed by Office of Disciplinary Counsel. You were required to submit a timely response to our Letter of Inquiry. To date, no response has been received even though our records indicate that you did receive our letter.

Please be advised that failure to respond to inquiries from this office is a violation of the rules governing attorneys that could subject you to disciplinary action.

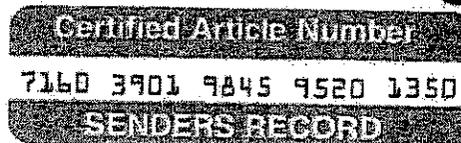
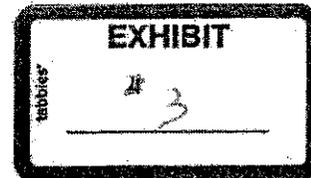
Please respond immediately upon receipt hereof; otherwise, it may be necessary for this office to require your appearance under Subpoena.

Sincerely,



Philip A. King
Assistant Disciplinary Counsel

PAK/cm



2. Article Number



7160 3901 9845 9520 1350

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

PERSONAL AND CONFIDENTIAL

CAROLYN KAYE RANKE, ESQ.
323 WEST LAKESIDE AVENUE, SUITE 420
CLEVELAND, OH 44113

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery
8-17-9

C. Signature

X *[Handwritten Signature]*

- Agent
- Addressee
- Yes
- No

D. Is delivery address different from item 1?
If YES, enter delivery address below:

Reference Information

A9-1655

PAK

UNITED STATES POSTAL SERVICE

PRINT YOUR NAME, ADDRESS AND ZIP CODE BELOW

First Class Mail
US Postage Paid
Permit No. G - 10

OFFICE OF DISCIPLINARY COUNSEL
OF THE SUPREME COURT OF OHIO
250 CIVIC CENTER DR STE 325
COLUMBUS OH 43215-7411

Disciplinary Counsel

THE SUPREME COURT OF OHIO

DISCIPLINARY COUNSEL
JONATHAN E. COUGHLAN

CHIEF ASSISTANT DISCIPLINARY COUNSEL
LORI J. BROWN

SENIOR ASSISTANT DISCIPLINARY COUNSEL
ROBERT R. BERGER
JOSEPH M. CALISIURI

250 CMIC CENTER DRIVE, SUITE 325
COLUMBUS, OHIO 43215-7411
(614) 461-0256
FAX (614) 461-7205
1-800-589-5258

ASSISTANT DISCIPLINARY COUNSEL
STACY SOLOCHEK BECKMAN
CAROL A. COSTA
HEATHER L. HISSOM
PHILIP A. KING
KAREN H. OSMOND
AMY C. STONE

September 2, 2009

CERTIFIED MAIL, RETURN RECEIPT REQUESTED
PERSONAL AND CONFIDENTIAL

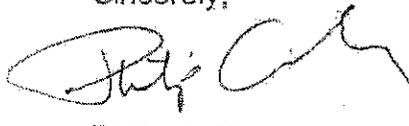
Carolyn Kaye Ranke, Esq.
323 West Lakeside Avenue, Suite 420
Cleveland, OH 44113

Re: File No. A9-1655 and A9-1722

Dear Ms. Ranke:

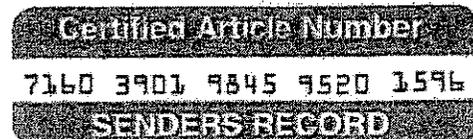
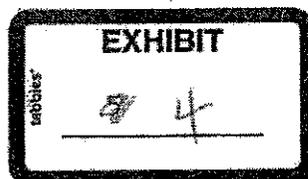
Enclosed please find a subpoena for your appearance in our office on September 16, 2009 at 10:30 a.m. If you intend to obtain driving directions via the internet or a GPS 111 West Rich Street, Columbus, Ohio 43215 is the address to use.

Sincerely,



Philip A. King
Assistant Disciplinary Counsel

PAK/cm
Enclosure



BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

Subpoena Duces Tecum

To: Carolyn Kaye Ranke, Esq. : Disciplinary Counsel
323 W. Lakeside Avenue :
Suite 420 : vs.
Cleveland, Ohio 44113 :
 : John Doe
 :
 : Case No. A9-1655 and A9-1722
 :
 :

You are hereby required to be and appear before The Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio at Office of Disciplinary Counsel, 250 Civic Center Drive, Suite 325, Columbus, Ohio 43215-7411, Telephone 614-461-0256 on the 16th of September, 2009 at 10:30 a.m. to testify in a certain matter pending before said Board and also that you bring with you and produce:

THE FOLLOWING DOCUMENTATION IS REQUIRED:

Please be prepared to provide deposition testimony concerning the following: 1) your representation of Aries Lamont Shazor and other defendants before the Cuyahoga County Court of Common Pleas in Case Nos. CR-08-508911-A and CR-08-516577 and any other related case; and 2) a \$3,418.13 overdraft in your First Merit trust account on July 2, 2009. In addition, please bring copies of your Prof. Cond. R. 1.15(a)(2) client ledgers and your trust account bank statements for June, July and August of 2009.

Witness my name and the seal of said Court the 2nd day of September, 2009.


Jonathan W. Marshall / RSD
Member/Secretary, Board of Commissioners

This Subpoena Duces Tecum is to be served in accord with Rule 45(C) Ohio Rules of Civil Procedure.

(Rule V of the Supreme Court Rules for the Government of the Bar of Ohio) Section (11)(C)

(C) *Effect of Refusal to Testify.* The refusal or neglect of a person subpoenaed as a witness to obey a subpoena, to attend, to be sworn or to affirm, or to answer any proper question shall be considered a contempt of the Supreme Court and shall be punishable accordingly.

RETURN OF SERVICE

I received this writ on the _____ day of _____ 20____, at _____ o'clock _____ M., and served the Persons named therein, on the day and in the manner indicated against each name.

| SHERIFF FEES | |
|----------------------------|----------|
| Service and Return | \$ _____ |
| Mileage _____ mil. @ _____ | _____ |
| _____ | _____ |
| Total | \$ _____ |

Sheriff
By _____
Deputy

I, _____, do hereby certify _____
(chairman or hearing panel member)

That _____, did attend the hearing _____
(name of witness)

On this matter held in _____, Ohio, on _____
(city)

_____, and is entitled to reimbursement _____
(date)

pursuant to the pre-hearing instructions. This subpoena must be returned with verification by the attorney requesting the issuance of this subpoena.

2. Article Number



7160 3901 9845 9520 1596

COMPLETE THIS SECTION ON DELIVERY

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| A. Received by (Please Print Clearly) <i>H. Snyder</i> | B. Date of Delivery <i>9/8/09</i> |
| C. Signature <i>H. Snyder</i> | <input type="checkbox"/> Agent <input type="checkbox"/> Addressee |
| D. Is delivery address different from item 1? If YES, enter delivery address below: | <input type="checkbox"/> Yes <input type="checkbox"/> No |

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

PERSONAL AND CONFIDENTIAL

CAROLYN KAYE RANKE, ESQ.
323 WEST LAKESIDE AVENUE, SUITE 420
CLEVELAND, OH 44113

Reference Information

A9-1655

pak

UNITED STATES POSTAL SERVICE

First Class Mail
US Postage Paid
Permit No. G - 10

PRINT YOUR NAME, ADDRESS AND ZIP CODE BELOW

DISCIPLINARY COUNSEL
OF THE SUPREME COURT OF OHIO

SEP 1 1 2009

RECEIVED

OFFICE OF DISCIPLINARY COUNSEL
OF THE SUPREME COURT OF OHIO
350 CIVIC CENTER DR STE 325
COLUMBUS OH 43215-7411

POSTNET

1 APPEARANCES:

2

3 ON BEHALF OF THE RESPONDENT:

4 (No appearance.)

5

6 ON BEHALF OF THE RELATOR:

7 Jonathan E. Coughlan, Esq.

8 Disciplinary Counsel

9 By: Philip A. King, Esq.

10 Assistant Disciplinary Counsel

11 250 Civic Center Drive, Suite 325

12 Plaza One

13 Columbus, Ohio 43215-5196

14 (614) 461-0256

15 FAX: (614) 461-7205

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I N D E X

EXHIBIT

MARKED

Exhibit No. 1 -

4

Subpoena Duces Tecum

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P R O C E E D I N G S

- - -

Wednesday, September 16, 2009
Morning Session

- - -

Thereupon, Exhibit No. 1 was marked for
purposes of identification.

- - -

1 CERTIFICATE OF NONAPPEARANCE

2 STATE OF OHIO,)

3) SS:

4 COUNTY OF Fairfield)

5 I, Kimberly A. Kaz, Registered
6 Professional Reporter and Notary Public in and for
7 the State of Ohio, certify that I was present for
8 the purpose of reporting the deposition of Carolyn
9 Kaye Ranke on the 16th day of September 2009 at
10 the offices of Ohio Disciplinary Counsel,
11 Columbus, Ohio, at 10:30 o'clock a.m.

12 I FURTHER CERTIFY that I waited for the
13 said deponent until 10:50 o'clock a.m. and the
14 above-named witness did not appear for this
15 deposition.

16 I FURTHER CERTIFY that I am neither
17 attorney or counsel for, nor employed by, any of
18 the parties to the action and, further, that I am
19 not a relative, nor an employee of, any attorney
20 or counsel employed in this case; nor am I
21 financially interested in the outcome of this
22 action.

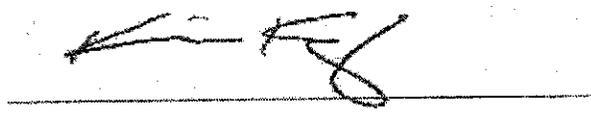
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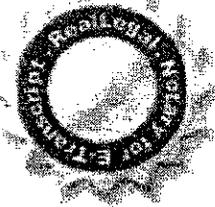
WITNESS my hand and official seal in the
City of Columbus, Ohio, County of Franklin, State
of Ohio, this 18th day of September 2009.



Kimberly A. Kaz
Registered Professional
Reporter and Notary
Public in and for the
State of Ohio

My Commission Expires: March 31, 2013

The foregoing was acknowledged before me
by Sandra L. Krosner-Martin who is personally
known to me and who took an oath, in the City of
Columbus, County of Franklin, State of Ohio, this
18th day of September 2009.



Sandra L. Krosner-Martin
Notary Public

My Commission Expires: September 15, 2013.

Disciplinary Counsel
THE SUPREME COURT OF OHIO

DISCIPLINARY COUNSEL
JONATHAN E. COUGHLAN
CHIEF ASSISTANT DISCIPLINARY COUNSEL
LORI J. BROWN
SENIOR ASSISTANT DISCIPLINARY COUNSEL
ROBERT R. BERGER
JOSEPH M. CALIGIURI

250 CIVIC CENTER DRIVE, SUITE 325
COLUMBUS, OHIO 43215-7411
(614) 461-0256
FAX (614) 461-7205
1-800-589-5256

ASSISTANT DISCIPLINARY COUNSEL
STACY SOLOCZEK BECKMAN
CAROL A. COSTA
HEATHER L. HISSOM
PHILIP A. KING
KAREN H. OSMOND
AMY C. STONE

September 18, 2009

CERTIFIED MAIL, RETURN RECEIPT REQUESTED
PERSONAL AND CONFIDENTIAL

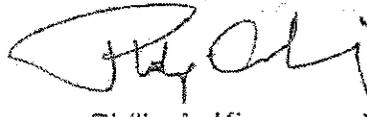
Carolyn Kaye Ranke, Esq.
323 West Lakeside Avenue, Suite 420
Cleveland, OH 44113

Re: File No. A9-1655 and A9-1722

Dear Ms. Ranke:

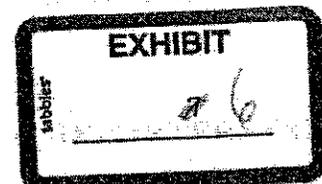
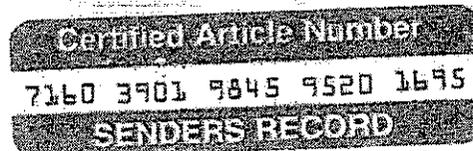
Enclosed please find a subpoena for your appearance in our office on September 24, 2009 at 10:30 a.m. If you intend to obtain driving directions via the internet or a GPS 111 West Rich Street, Columbus, Ohio 43215 is the address to use.

Sincerely,



Philip A. King
Assistant Disciplinary Counsel

PAK/cm
Enclosure



BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

Subpoena Duces Tecum

To: Carolyn Kaye Ranke, Esq.
323 West Lakeside Avenue, Suite 420
Cleveland, Ohio 44113

Disciplinary Counsel

vs.

John Doe

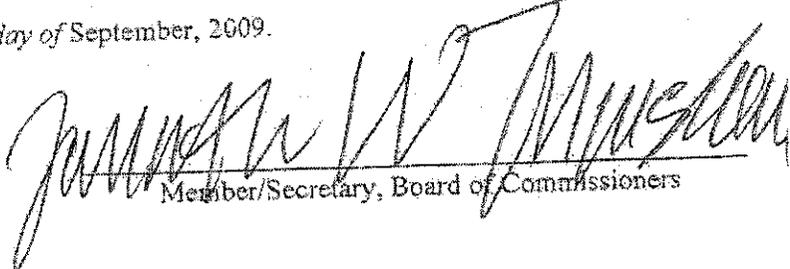
Case No. A9-1655 and A9-1722

You are hereby required to be and appear before the Board of Commissioners on Grievances and Discipline of The Supreme Court of Ohio at Office of Disciplinary Counsel, 250 Civic Center Drive, Suite 325, Columbus, Ohio 43215-7411, 614-461-0256 on the 24th of September, 2009 at 10:30 a.m. to testify in a certain matter pending before said Board and also that you bring with you and produce:

THE FOLLOWING DOCUMENTATION IS REQUIRED:

Please be prepared to provide deposition testimony concerning the following: 1) your representation of Ariés Lamont Shazor and other defendants before the Cuyahoga County Court of Common Pleas in Case Nos. CR-08-508911-A and CR-08-516577 and any other related case; and 2) a \$3,418.13 overdraft in your First Merit trust account on July 2, 2009. In addition, please bring copies of your Prof. Cond. R. 1.15(a)(2) client ledgers and your trust account bank statements for June, July and August of 2009.

Witness my name and the seal of said Court the 17th day of September, 2009.


Member/Secretary, Board of Commissioners

This Subpoena Duces Tecum is to be served in accord with Rule 45(C) Ohio Rules of Civil Procedure.

(Rule V of the Supreme Court Rules for the Government of the Bar of Ohio) Section (11)(C)

(C) *Effect of Refusal to Testify.* The refusal or neglect of a person subpoenaed as a witness to obey a subpoena, to attend, to be sworn or to affirm, or to answer any proper question shall be considered a contempt of the Supreme Court and shall be punishable accordingly.

RETURN OF SERVICE

I received this writ on the _____ day of _____ 20____, at _____ o'clock _____ M., and served the

Persons named therein, on the day and in the manner indicated against each name.

| SHERIFF FEES | |
|----------------------------|----------|
| Service and Return | \$ _____ |
| Mileage _____ mil. @ _____ | _____ |
| | _____ |
| Total | \$ _____ |

Sheriff
By _____
Deputy

I, _____, do hereby certify
(chairman or hearing panel member)

That _____, did attend the hearing
(name of witness)

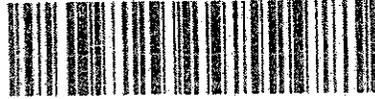
On this matter held in _____, Ohio, on _____
(city)

reimbursement _____, and is entitled to
(date)

pursuant to the pre-hearing instructions. This subpoena must be returned with verification by the attorney requesting the issuance of this subpoena.

Hearing Panel Chairman or Member

2. Article Number



7360 3901 9845 9520 1695

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

Carolyn Kaye Ranke, Esq.
323 West Lakeside Ave, Suite 420
Cleveland, OH 44113

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly): _____ B. Date of Delivery: 9/22/09

C. Signature: *[Signature]* Agent Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

Reference Information

A9-1655

pak

UNITED STATES POSTAL SERVICE

First Class Mail
US Postage Paid
Permit No. G-10

PRINT YOUR NAME, ADDRESS AND ZIP CODE BELOW

DISCIPLINARY COUNSEL
SUPREME COURT OF OHIO

SEP 24 2009

REMOVED

OFFICE OF DISCIPLINARY COUNSEL
THE SUPREME COURT OF OHIO
250 CIVIC CENTER DR STE 325
COLUMBUS OH 43215-7411

The Grievance Process

A grievance sent to the Disciplinary Counsel of the Supreme Court of Ohio or to a local bar association's certified grievance committee will be reviewed to determine whether the grievance alleges a violation of the Code of Professional Responsibility, Ohio Rules of Professional Conduct, and/or Code of Judicial Conduct. If there is evidence that supports the allegation of a violation, the grievance will be investigated. Following the investigation, if substantial, credible evidence is found that a violation has occurred, a formal complaint may be filed with the Board of Commissioners on Grievances and Discipline. A three-member panel of the Board will review the complaint and determine whether probable cause exists to certify it. If the complaint is certified by the Board, a hearing may be held before a different three-member panel of the Board. The panel considers the evidence and makes a recommendation to the full Board of Commissioners. The full Board then makes a recommendation to the Supreme Court of Ohio. The Court has final say on whether to discipline an attorney or judge and what sanction should be administered. A grievance is confidential until the Board certifies it as a formal complaint. A grievance or complaint can be dismissed at any point in the process.



Grievance Form

YOUR NAME: Wilson #1 73063 Tierra T
Last First MI Phone No.

ADDRESS: 2675 E 30th Street (Northeast Precinct - Raleigh Ctr)
Street

Cleveland Cuyahoga Ohio 44115
City County State Zip Code

WHO ARE YOU COMPLAINING ABOUT?

(Please circle) ATTORNEY or JUDGE

NAME: Banks Carolyn Kaur (216) 575-7660
Last First MI Phone No.

ADDRESS: 323 West Lakeside Suite 420
Street

Cleveland Cuyahoga Ohio 44113
City County State Zip Code

Have you filed this grievance with any other agency or bar association? Yes No

If yes, provide name of that agency and date of filing: _____

Did you receive a response?: Yes No IF YES, PLEASE ATTACH A COPY

Did this attorney represent you? Yes No Type of case: Criminal Case

Date the attorney was hired: 03/08 Does s/he still represent you?: Yes No

Did you pay the attorney a fee/retainer? Yes No If yes, how much?: _____

Did you sign a written fee agreement/contract? Yes No IF YES, PLEASE ATTACH A COPY

Has the attorney sued you for fees? Yes No

Have you brought civil or criminal court action against this attorney or judge? Yes No

If yes, provide name of court and case number _____

Result of court action: _____

Name and contact information for attorney currently representing you, if different than attorney you are complaining about: _____

Does this grievance involve a case that is still pending before a court? Yes No

If yes, provide name of court and case number: _____

What action or resolution are you seeking? _____

WITNESSES:

List the name, address, and daytime telephone number of persons who can provide information, IF NECESSARY, in support of your grievance.

| NAME | ADDRESS | PHONE NO. |
|----------------|---------------------------------|----------------|
| Julia Holder | 5857 101st Clev, OH 44108 | (216) 268-5524 |
| Lolita Wilson | 13812 North Dr. Greffield, OH | (216) 792-5822 |
| Malikah Hunter | 12415 Vashli Ave Clev, OH 44108 | (216) 258-2204 |
| Ronald Bethel | 10819 Almina Ave Clev, OH 44111 | (216) 850-3221 |

FACTS OF THE GRIEVANCE

Briefly explain the facts of your grievance in chronological order, including dates and a description of the conduct committed by this legal professional. Attach COPIES (DO NOT SEND ORIGINALS) of any correspondence and documents that support your grievance.

The reason of filing this grievance is due to Cora Kaye
Banke misrepresenting during the current case. I'm incorrect
noted for. My original appointed appellate attorney was
John T. Mast. On the day of January 27th 2009 a notice of

Appearance was filed by my trial attorney Carolyn Kaye. Bank. It is to my understanding as well as my families that we were not aware of the legal actions that were being taken place. Throughout the length of time, there have not been any communications from Carolyn Kaye Bank. I have written letters several times to Mrs. Bank to check the status of my appeal. My family and close friends have consistently tried to contact her. Messages have been left at the office, personally and by phone. There have not yet been a answer from Mrs. Bank. I have provided documents stating that my case have been withdrawn from the court appointed lawyer to Mrs. Bank. Also that my Appeal was denied due to the fact that there was a failure to file a brief on my behalf. At anytime of your convenience, please feel free to contact those that I have listed.

The Rules of the Supreme Court of Ohio require that investigations be confidential. Please keep confidential the fact that you are submitting this grievance. The party(ies) you are filing your grievance against will receive notice of your grievance and may receive a copy of your grievance and be asked to respond to your allegations.

Chieria Wilson # 230103
Signature

Date



DOCKET INFORMATION

[Printer Friendly Version](#)

Case Number: CR-08-506683-A THE STATE OF OHIO vs. TIERRA WILSON
 Case Title: [AlternaTIVE](#)
 Image Viewer: [AlternaTIVE](#)

From Date: / / Sort: Ascending Descending
 Type Type Type Type Search: Search

| Proceeding Date | Filing Date | Side | Type | Description | Image |
|-----------------|-------------|------|------|---|-------|
| 09/16/2009 | 09/16/2009 | D1 | \$\$ | PAYMENT ON ACCOUNT MADE ON BEHALF OF WILSON/TIERRA/T IN THE AMOUNT OF \$3.18 | |
| 08/14/2009 | 08/14/2009 | D1 | \$\$ | PAYMENT ON ACCOUNT MADE ON BEHALF OF WILSON/TIERRA/T IN THE AMOUNT OF \$11.14 | |
| 07/15/2009 | 07/15/2009 | D1 | \$\$ | PAYMENT ON ACCOUNT MADE ON BEHALF OF WILSON/TIERRA/T IN THE AMOUNT OF \$3.23 | |
| 07/02/2009 | 07/02/2009 | D1 | \$\$ | PAYMENT ON ACCOUNT MADE ON BEHALF OF WILSON/TIERRA/T IN THE AMOUNT OF \$13.74 | |
| 06/08/2009 | 06/09/2009 | N/A | JE | DEFENDANT'S APPLICATION FOR REEC REVIEWED; DEFENDANT FOUND INELIGIBLE FOR ACCEPTANCE INTO REEC. DEFENDANT NOTIFIED BY MAIL. MINIMUM TIME NOT YET SERVED. THIS ENTRY TAKEN BY JUDGE NANCY MARGARET RUSSO. 06/08/2009 CPDL2 06/08/2009 14:54:33 | |
| 05/19/2009 | 05/19/2009 | D1 | \$\$ | PAYMENT ON ACCOUNT MADE ON BEHALF OF WILSON/TIERRA/T IN THE AMOUNT OF \$3.63 | |
| 04/17/2009 | 04/17/2009 | D1 | \$\$ | PAYMENT ON ACCOUNT MADE ON BEHALF OF WILSON/TIERRA/T IN THE AMOUNT OF \$2.46 | |
| 04/10/2009 | 04/10/2009 | D1 | NT | <u>SUA SPONTE, THIS APPEAL IS DISMISSED BY THE COURT OF APPEALS AT APPELLANT'S COST, FOR FAILURE TO FILE A BRIEF. (92222)</u> | |
| 03/09/2009 | 03/09/2009 | D1 | \$\$ | PAYMENT ON ACCOUNT MADE ON BEHALF OF WILSON/TIERRA/T IN THE AMOUNT OF \$6.14 | |
| 01/29/2009 | 01/29/2009 | D1 | \$\$ | PAYMENT ON ACCOUNT MADE ON BEHALF OF WILSON/TIERRA/T IN THE AMOUNT OF \$14.89 | |
| 01/16/2009 | 01/16/2009 | D | JE | COURT REPORTER ALLOWED \$2,657.10. RECEIVED FOR FILING. | |

[Handwritten Signature]
 8/15/09

Back →

| | | | | |
|------------|------------|-----|----|--|
| 12/19/2008 | 12/19/2008 | D1 | CL | TRANSCRIPT OF PROCEEDINGS (4 VOLS) AND EXHIBITS FILED AND SENT TO THE COURT OF APPEALS. (92222) |
| 10/29/2008 | 10/29/2008 | D1 | CL | RECORD ON APPEAL, PAGINATION SHEET AND CRIMINAL FILE SENT TO THE COURT OF APPEALS. |
| 10/24/2008 | 10/24/2008 | N/A | CS | COURT REPORTER FEE |
| 10/10/2008 | 10/10/2008 | D1 | NT | NOTICE OF APPEAL, DOCKETING STATEMENT (REGULAR), PRAECIPE, JOURNAL ENTRY, FILED AND SENT TO THE COURT OF APPEALS WITH A COPY OF THE DOCKET SHEET. THE COURT OF APPEALS NUMBER ASSIGNED IS 92222. |
| 09/11/2008 | 09/11/2008 | N/A | OT | STATEMENT OF COURT COST SENT TO CORRECTIONAL INSTITUTION FOR COLLECTION. |
| 09/11/2008 | 09/11/2008 | N/A | CS | COURT COST ASSESSED TIERRA T WILSON BILL AMOUNT 3247.4 PAID AMOUNT 45 AMOUNT DUE 3202.4 |
| 09/11/2008 | 09/11/2008 | D1 | CS | JURY FEES |
| 09/11/2008 | 09/11/2008 | D1 | DR | COURT REPORTER FEE |
| 09/11/2008 | 09/11/2008 | D1 | DR | SHERIFF FEES |
| 09/11/2008 | 09/11/2008 | N/A | CS | RC 2743.70 REPARATION FEE |
| 09/10/2008 | 09/10/2008 | N/A | CS | COURT REPORTER FEE |
| 09/10/2008 | 09/10/2008 | N/A | SB | SHERIFF SERVICE FEES FOR SUBPOENA NUMBER 495862, IN THE AMOUNT OF \$8.50. |
| 09/09/2008 | 09/09/2008 | N/A | SB | SUBPOENA CLERK'S FEE |
| 09/09/2008 | 09/09/2008 | N/A | SB | SUBPOENA CLERK'S FEE |
| 09/09/2008 | 09/11/2008 | N/A | JE | DEFENDANT IN COURT. COUNSEL CAROLYN KAYE RANKE PRESENT. COURT REPORTER PRESENT. ON A FORMER DAY OF COURT THE JURY RETURNED A VERDICT OF GUILTY OF ENDANGERING CHILDREN 2919.22 A F2 AS CHARGED IN COUNT(S) 2 OF THE INDICTMENT. ON A FORMER DAY OF COURT THE JURY RETURNED A VERDICT OF GUILTY OF ENDANGERING CHILDREN 2919.22 B(1) F3 AS CHARGED IN COUNT(S) 3 OF THE INDICTMENT. DEFENDANT ADDRESSES THE COURT, PROSECUTOR ADDRESSES THE COURT, VICTIM/REP ADDRESSES THE COURT. THE COURT CONSIDERED ALL REQUIRED FACTORS OF THE LAW. THE COURT FINDS THAT PRISON IS CONSISTENT WITH THE PURPOSE OF R. C. 2929.11. THE COURT IMPOSES A PRISON SENTENCE AT THE OHIO REFORMATORY FOR WOMEN OF 6 YEAR(S). 5 YEARS ON COUNT 2; 5 YEARS ON COUNT 3. COUNTS TO RUN CONCURRENT WITH EACH OTHER. POST RELEASE CONTROL IS PART OF THIS PRISON SENTENCE FOR 3 YEARS FOR THE ABOVE FELONY(S) UNDER R.C.2067.28. DEFENDANT TO RECEIVE JAIL TIME CREDIT FOR 11 DAY(S). TO DATE. DEFENDANT DECLARED INDIGENT. FINE(S) WAIVED. DEFENDANT ADVISED OF APPEAL RIGHTS. DEFENDANT INDIGENT, COURT APPOINTS <u>JOHN T CASTELE AS APPELLATE COUNSEL.</u> |

Disciplinary Counsel

THE SUPREME COURT OF OHIO

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October 19, 2009

CERTIFIED MAIL, RETURN RECEIPT REQUESTED
PERSONAL AND CONFIDENTIAL

Carolyn Kaye Ranke, Esq.
323 West Lakeside Avenue, Suite 420
Cleveland, OH 44113

Re: File No. A9-2579
Letter of Inquiry

Dear Ms. Ranke:

This office has received a grievance against you filed by Tierra Wilson. A copy of the grievance is enclosed. Rule V (4)(C) of the Rules for the Government of the Bar requires that we investigate allegations of misconduct that are filed with us or that come to our attention. In accordance with Gov. Bar R. V(11)(E), our investigation will be confidential. Please provide a written response to the allegation(s). Your response should include supporting documents, and the names, addresses and daytime telephone numbers of persons with relevant information. Your response to this grievance may be furnished to the Grievant unless you specifically request in writing that your response not be so furnished. See Gov. Bar R. V(11)(E)(3).

Your response should be **POSTMARKED NO LATER THAN November 2, 2009**. Your cooperation will be appreciated and you will be notified in writing of our determination.

Sincerely,



Philip A. King
Assistant Disciplinary Counsel



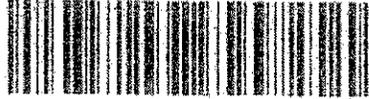
PAK/cm
Enclosure (Complaint)

Certified Article Number

7160 3902 9848 3957 8613

SENDER'S RECORD

2. Article Number



7160 3901 9848 3957 8613

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4. Restricted Delivery? (Extra Fee)

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1. Article Addressed to:

PERSONAL AND CONFIDENTIAL

CAROLYN KAYE RANKE, ESQ.
323 WEST LAKESIDE AVENUE, SUITE 420
CLEVELAND, OH 44113

Reference Information

A9-2579

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