

The Supreme Court of Ohio

Cleveland Metropolitan Bar Association, :

Relator,

Case No. **2011-1681**

vs. :

UPL 09-07

Michael D. Davie,

and :

Judge: MAUREEN O'CONNOR

Alpha Legal Services, Inc.,

Respondents. :

MOTION TO STAY A COURT ORDER

Now comes Respondents, represented by undersigned counsel, Donald R. Murphy asking for a grant of motion to stay this court's order entered on the above case number on September 27, 2012. The Board on the Unauthorized Practice of Law of this Court and this court have found Respondent guilty on three separate counts of the unauthorized practice of law.

The counts Respondents have been found guilty of are complex, and Respondents now must pay a severe sanctions totaling \$30,000.00, over \$3,000.00, in other costs that must be paid within 30 days of the above dated decision or Respondent Davie may be faced with jail time, and the loss of his business. As such, Respondent will move and assert constitutional violations in the United States Supreme Court on a writ of certiorari within 90 days from the date of September 27, 2012. See Court's **ORDER** attached hereto.

RECEIVED
OCT 26 2012
CLERK OF COURT
SUPREME COURT OF OHIO

FILED
OCT 26 2012
CLERK OF COURT
SUPREME COURT OF OHIO

Finally, Respondents ask that this Court grant this motion to stay to allow Respondents to find new pro bono counsel and or Legal Aide assistance with preparing the appeal to the United States Supreme Court for Michael Davie in pro se.

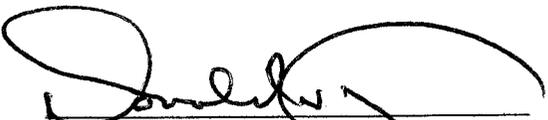
Respectfully submitted,


DONALD R. MURPHY #0024068
Attorney At Law
12800 Shaker Blvd.
Cleveland, OH 44120
216-991-4883

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Stay a Court Order has been forwarded to John Hallbauer, Esq. on this 24th day of October, 2012 and sent via U.S. regular mail to:

BUCKLEY KING
c/o John Hallbauer, Esq.
1400 Fifth Third Center
600 Superior Avenue E
Cleveland, OH 44114


DONALD R. MURPHY

The Supreme Court of Ohio

FILED
SEP 27 2012

Cleveland Metropolitan Bar Association,
Relator,

v.
Michael D. Davie and Alpha Legal Services, Inc.,
Respondents.

CLERK OF COURT
ON REPORT OF THE ~~SUPREME COURT OF OHIO~~
UNAUTHORIZED PRACTICE OF LAW

Case No. 2011-1681

ORDER

The Board on the Unauthorized Practice of Law filed its final report in this court on October 4, 2011, recommending that, pursuant to Rule VII of the Supreme Court Rules for the Government of the Bar of Ohio, the Supreme Court of Ohio issue an order finding that respondents, Michael D. Davie and Alpha Legal Services, Inc., have engaged in the unauthorized practice of law. Relator filed objections to the final report, oral argument was held, and this cause was considered by the court.

On consideration thereof, this court finds, consistent with the opinion rendered herein, that respondents' actions constitute the unauthorized practice of law. Respondents are enjoined from all conduct that constitutes the unauthorized practice of law. It is further ordered that respondent Michael D. Davie may work as a paralegal or legal assistant in the state of Ohio, provided that he does so under the direct supervision of an attorney authorized to practice law in this state and identifies himself as a paralegal or legal assistant in all communications and correspondence. It is further ordered that on or before 30 days of the date of this order, respondent Michael D. Davie shall file the appropriate legal forms to release the judgments that he obtained in Cleveland Municipal Court cases *Davie v. Singleton*, case No. 08 CVI 25218, and *Davie v. Brown*, case No. 08 CVI 19312, and forthwith submit proof of the filings to relator. It is further ordered that if respondent Davie fails to timely release these judgments, he shall be fined \$100 per day beginning on the thirty-first day following this order.

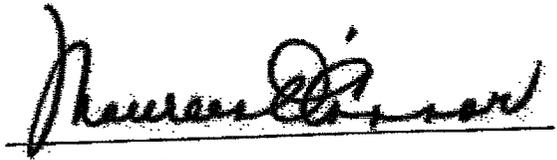
It is further ordered that respondents are assessed, jointly and severally, a civil penalty in the amount of \$30,000. The fine shall be paid to this court by cashier's check or money order on or before 30 days from the date of this order. If respondents fail to pay said fine on or before 30 days from the date of this order, the matter will be referred to the Attorney General for collection and this court may find respondents in contempt.

It is further ordered that respondents, jointly and severally, provide reimbursement of costs and expenses incurred by the board and relator in the amount of \$3,561.20, which costs shall be payable to this court by cashier's check or money order on or before 30 days from the date of this order. It is further ordered that if these costs are not paid in full on or before 30 days from the date of this order, interest at the rate of 10% per annum shall accrue on the balance of unpaid board costs, effective 30 days from the date of this order. It is further ordered that if costs are not paid in full on or before 30 days from the date of this order, this matter will be referred to the Attorney General for collection and respondent may be found in contempt.

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 that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. VII(19)(E); that publication be made as provided for in Gov.Bar R. VII(19)(F); and that respondents 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