

IN THE SUPREME COURT OF OHIO

Akron Bar Association	*	
Relator	*	
v.	*	CASE NO. 2015-0243
Holly Lynn Bednarski,	*	
Respondent	*	

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NOTICE OF RESTITUTION OWED

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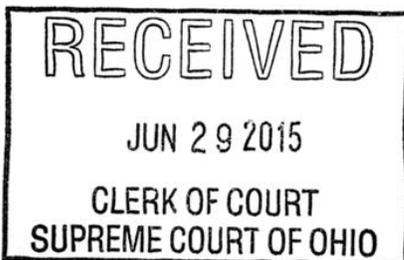
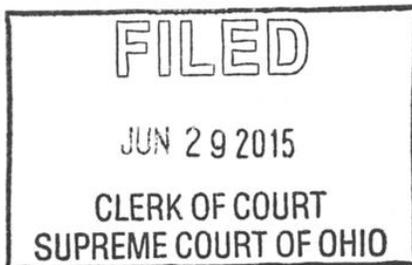
THOMAS P. KOT #0000770  
Bar Counsel  
Akron Bar Association  
57 S. Broadway St.  
Akron OH 44308  
(330) 253-5007  
Fax: (330) 253-2140  
[tpkot@neohio.twebc.com](mailto:tpkot@neohio.twebc.com)

Counsel for Relator,

HOLLY L. BEDNARSKI #0077231  
487 Stanton Ave.  
Akron OH 44301-1526  
(330) 812-8264  
[hollybednarski1974@gmail.com](mailto:hollybednarski1974@gmail.com)

Last Known Address  
279 21<sup>st</sup> St. NW  
Barberton OH 44203

Respondent,



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An Interim Default Suspension against the Respondent was entered on March 13, 2015. Pursuant to Gov. Bar.R. V Section (14)(B)(2), Relator notifies this Court that, as alleged in the formal complaint, Respondent owes restitution in the amount of \$1,515.10 to David B. Jones, Jr., as supported by the Affidavit of Mr. Jones, Jr. and its attached exhibits.

Respectfully submitted,



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Thomas P. Kot (0000770)  
Bar Counsel  
Akron Bar Association  
57 S. Broadway St.  
Akron OH 44308  
(330) 253-5007  
Fax: (330) 253-2140  
[tpkot@neohio.twcbc.com](mailto:tpkot@neohio.twcbc.com)  
Counsel of Record

**CERTIFICATE OF SERVICE**

A copy of the foregoing Notice of Restitution has been served upon Respondent, Holly L. Bednarski, at 487 Stanton Ave., Akron OH 44301-1526 and 279 21<sup>st</sup> St. NW, Barberton OH 44203; and to Richard Dove, Secretary, Board of Professional Conduct, 65 S. Front St. 5<sup>th</sup> Floor, Columbus OH 43215 this 25 day of June, 2015.

  
\_\_\_\_\_  
Thomas P. Kot (0000770)

STATE OF OHIO )

COUNTY OF \_\_\_\_\_ )

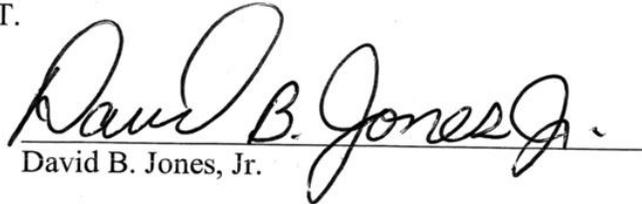
**AFFIDAVIT**

I, David B. Jones, Jr., having been duly sworn according to the laws of Ohio, hereby depose and say:

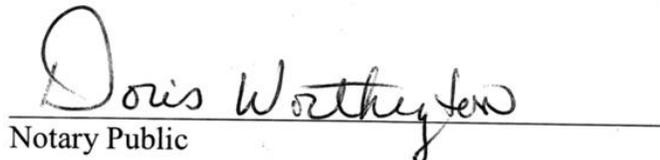
1. That I am at least 18 years of age, and that I have personal knowledge of the matters contained herein.
2. On or around August 5, 2013, I was convicted in the Tuscarawas County Court of Common Pleas, Case No. 2013 CR 3 0041, of driving under the influence of alcohol, a third-degree felony.
3. On or around November 10, 2013, I retained Respondent to represent me in an appeal of this conviction to the Fifth District Court of Appeals.
4. On or about November 13, 2013, I paid Respondent \$500.00 as part of a flat fee to file an appeal, receipt attached as Exhibit A.
5. On or about November 29, 2013, I paid Respondent \$1,000.00 as the remainder owed of the flat fee, receipt attached as Exhibit B.
6. Through my former counsel, a stay of the execution of the sentence was ordered while my appeal was pending.
7. On November 20, 2013, Respondent entered an appearance in the Fifth District Court of Appeals on my behalf and filed a motion to extend the time to file a brief.
8. On December 16, 2013, the Fifth District Court of Appeals granted that motion and ordered that the brief be filed on or before December 24, 2013. Respondent did not file the brief by December 24, 2013 or at any time, nor did she seek a further extension of time to do so.
9. On February 3, 2014, upon motion of the prosecutor, my appeal was dismissed for lack of prosecution.
10. I was notified that his appeal had been dismissed and the stay relative to my sentence was lifted. I was ordered to report to the Adult Parole Authority to begin my sentence.
11. On or about September 11, 2013, I paid \$495.00 to obtain the transcript of the suppression hearing and gave said transcript to the Respondent.

12. On or about March 14, 2014, I paid \$15.10 for an additional copy of said transcript as Respondent failed to return the original transcript was requested, receipt attached as Exhibit C.
13. Restitution is owed by Respondent to me for the \$1,500.00 paid as the retainer and \$15.10 for the cost of securing an additional copy of the transcript.

FURTHER AFFIANT SAYETH NAUGHT.

  
David B. Jones, Jr.

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 16<sup>th</sup> DAY OF JUNE, 2015.

  
Notary Public

My commission expires

**DORIS WORTHINGTON, Notary Public**  
Residence - Portage County  
Statewide Jurisdiction, Ohio  
My Commission Expires Sept. 17 20 15



# CUSTOMER'S RECEIPT

SEE BACK OF THIS RECEIPT  
FOR IMPORTANT CLAIM  
INFORMATION

**NOT  
NEGOTIABLE**

Pay to Holly Bednarski

Address AKRON, Ohio (330) 812-8264

KEEP THIS  
RECEIPT FOR  
YOUR RECORDS

Serial Number  
**21234439541**

Year, Month, Day  
2013-11-13

Post Office  
446630

Amount  
\$500.00

Clerk  
0008

**EXHIBIT**  
A

**PURSUANT TO SUP.R. 45(C)(2), THIS  
DOCUMENT OR PORTIONS OF THIS  
DOCUMENT ARE NOT AVAILABLE  
THROUGH REMOTE ACCESS.**

# COURT OF COMMON PLEAS

GENERAL TRIAL DIVISION

*Tuscarawas County, Ohio*

Elizabeth Lehigh Thomakos  
JUDGE

COPY

March 14, 2014

Re: State of Ohio vs. David B. Jones, Jr.  
Case Number: 2013 CR 03 0041  
Appeals Case Number: 2013 AP 10 0041

Paid this date \$41.60 for the past due amount of \$26.50 and the copy amount of \$15.10.

Patti Campbell

