

ORIGINAL

IN THE SUPREME COURT OF OHIO

Disciplinary Counsel, : CASE NO. 2012-1107
 Relator, :
 vs. :
 Joel David Joseph. : RELATOR'S REPLY TO
 Respondent. : RESPONDENT'S MOTION FOR
 : RECONSIDERATON
 :

RELATOR'S REPLY TO RESPONDENT'S MOTION FOR RECONSIDERATION

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Respondent.

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 SUPREME COURT OF OHIO

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Disciplinary Counsel, : CASE NO. 2012-1107
Relator, :
vs. :
Joel David Joseph. : RELATOR'S REPLY TO
Respondent. : RESPONDENT'S MOTION FOR
RECONSIDERATION
:

RELATOR'S REPLY TO RESPONDENT'S MOTION FOR RECONSIDERATION

This Court should deny respondent's motion for reconsideration. In his motion, respondent asserts that this Court "inaccurately" stated that the Board of Professional Conduct ("board") recommended that respondent be denied reinstatement to the practice of law in Ohio. Respondent's assertion is preposterous—as this Court adopted exactly what the board did. "The board adopted the findings of fact, conclusions of law, and recommendations of the panel and recommends that the reinstatement petition of Joel David Joseph be denied." Board's Findings of Fact, Conclusions of Law, and Recommendation ("report") at p. 23. The board's recommendation could not have been any clearer. Respondent simply will not accept the fact that this Court will not reinstate respondent until he has been readmitted in Maryland.

At the time of his reinstatement hearing in Ohio, respondent had already been denied reinstatement in Maryland. After the board issued its report in this case, respondent filed objections, within which he stated that he had *again* applied for reinstatement in Maryland and that his application was pending. After relator filed his response to respondent's objections, the Maryland Court of Appeals—on June 17, 2015—denied respondent's *second* petition for

reinstatement. *In the Matter of the Reinstatement of Joel D. Joseph*, Maryland Court of Appeals, Misc. Docket, AG No. 11, September Term 2015, attached hereto as Appendix "A". On two separate occasions, the Maryland Court of Appeals has denied respondent reinstatement to the practice of law. This Court should continue its deference to Maryland's disciplinary process.

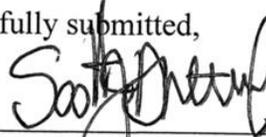
Recognizing that there is no way around this Court's requirement that he be readmitted in Maryland before being reinstated in Ohio, respondent has resorted to intentionally misrepresenting the board's findings. In his motion for reconsideration, respondent states, "However, the Ohio Board of Grievances and Discipline determined that Respondent did not falsely state his residency since he actually was a Maryland resident at the time in question." The board made no such determination. And respondent knows it.

In its report, the board stated that "respondent presented evidence that demonstrated he held a Maryland driver's license and that he filed Maryland income tax returns in the state of Maryland during the time period in which the Maryland Court of Appeals determined that he was a resident of California." Report at p. 7. The board never determined respondent's residency—it simply recited the evidence that respondent presented for the panel's consideration. In fact, the board's statement appears seven paragraphs *before* its Findings of Fact and Conclusions of Law, neither of which include any mention of respondent's actual residency. Respondent plays fast and loose with the truth. And although the board found that, but for respondent's inability to be reinstated in Maryland, he has met the requirements for reinstatement in Ohio, this Court should continue its deference to Maryland's disciplinary process and deny respondent's motion for reconsideration.

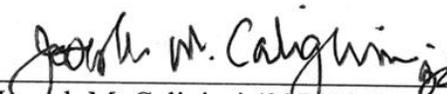
CONCLUSION

Contrary to respondent's assertions, the board unequivocally recommended that respondent's application for reinstatement be denied. Respondent has presented no credible reason for this Court to reconsider its decision; consequently, this Court should deny respondent's motion and reaffirm its decision denying his petition for reinstatement in Ohio.

Respectfully submitted,



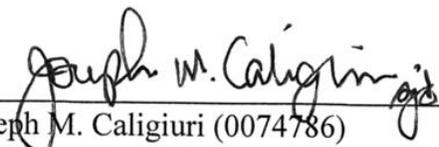
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the **RELATOR'S REPLY TO RESPONDENT'S MOTION FOR RECONSIDERATION** was served upon respondent, Joel David Joseph, Esq., by e-mail transmission at madeinusafoundation@gmail.com, and joeldjoseph@gmail.com, this 3rd day of August, 2015.



Joseph M. Caligiuri (0074786)
Counsel of Record

IN THE MATTER OF THE
REINSTATEMENT OF
JOEL D. JOSEPH TO THE
PRACTICE OF LAW

* IN THE
*
* COURT OF APPEALS
*
* OF MARYLAND
*
* Misc. Docket AG
*
* No. 11
*
* September Term, 2015

ORDER

This matter came before the Court on the Petition for Reinstatement of Joel D. Joseph, the supplement to the petition and the Response of Bar Counsel; and

The Court having considered the Petition, the supplement and Response, it is this 17th day of June, 2015, by the Court of Appeals of Maryland;

ORDERED, that the Petition and supplement be, and the same are hereby DENIED.

/s/ Mary Ellen Barbera
Chief Judge

Appendix A