

IN THE SUPREME COURT OF OHIO

In re:

Complaint against

Case No. 2015-072

Angela Marie Whitt

Respondent

Disciplinary Counsel

Relator

CERTIFICATION OF DEFAULT

Angela Marie Whitt (0081658)
PO Box 171
Grove City, OH 43123
614-439-7637
awhitflaw@yahoo.com

Richard A. Dove (0020256)
Board of Professional Conduct
65 South Front Street, 5th Floor
Columbus, Ohio 43215
614.387.9370
rick.dove@sc.ohio.gov

Disciplinary Counsel
Attn: Scott Drexel (0091467)
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215

Donald M. Scheetz (0082422)
Assistant Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215
614-461-0256
donald.scheetz@sc.ohio.gov

IN THE SUPREME COURT OF OHIO

In re:

Complaint against

Angela Marie Whitt

Respondent

Disciplinary Counsel

Relator

CERTIFICATION

Gov. Bar R. V, Section 14

Pursuant to Rule V, Section 14, of the Supreme Court Rules for the Government of the Bar of Ohio, I hereby certify that the respondent in the above-captioned matter has failed to file an answer to the formal complaint certified to the Board of Professional Conduct on December 10, 2015.

Attached to this certification is an affidavit setting forth the attempts to serve the complaint on the respondent and copies of documents referenced in the affidavit.



RICHARD A. DOVE

Director, Board of Professional Conduct
of the Supreme Court of Ohio

STATE OF OHIO

)

)

ss:

COUNTY OF FRANKLIN

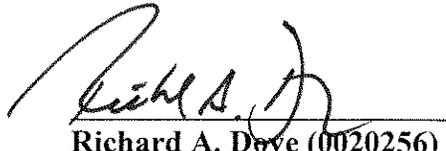
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AFFIDAVIT

I, Richard A. Dove, having been duly sworn according to the laws of Ohio, hereby depose and say:

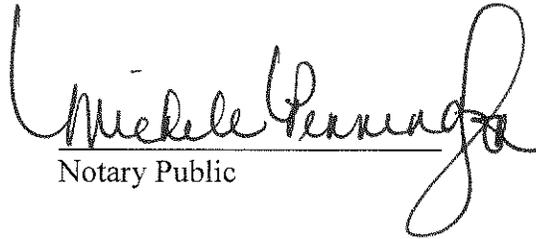
1. I am the Director to the Board of Professional Conduct of the Supreme Court of Ohio ("Board"). Pursuant to Rule V of the Supreme Court Rules for the Government of the Bar of Ohio, I am responsible for serving certified disciplinary complaints on the parties and maintaining the records of cases certified to the Board.
2. On December 10, 2015, a formal complaint was certified to the Board in the matter of *Disciplinary Counsel v. Angela Marie Whitt*, Board Case No. 2015-072.
3. On December 10, 2015, a notice and copy of the certified complaint were sent via certified mail to the respondent at PO Box 171, Grove City, Ohio 43123. The address to which the certified mail was sent is the respondent's business and residence address as reflected in the attorney registration records maintained by the Supreme Court of Ohio, Office of Attorney Services.
4. On December 17, 2015, the Board received a return receipt from the United States Postal Service acknowledging the receipt of the documents at the address referenced in ¶3.
5. On January 8, 2016, a notice of intent to certify the respondent's default was sent to the respondent at the address referenced in ¶3.
6. As of the date of this affidavit, the respondent has not filed an answer to the formal complaint pending before the Board or otherwise responded to the certification of the complaint or the notice of intent to certify her default.
7. Attached to this affidavit are true and accurate copies of the following documents contained in the case file that is maintained in the Board offices:
 - a. The formal complaint certified to the Board on December 10, 2015 (Attachment A);
 - b. The return receipt showing the respondent's receipt on December 17, 2015 of the certified mail sent to the address referenced in ¶3 (Attachment B); and
 - c. The notice of intent to certify the respondent's default sent to the respondent's address referenced in ¶3 (Attachment C).

FURTHER AFFIANT SAYETH NAUGHT.



Richard A. Dove (0020256)
Director, Board of Professional Conduct

Sworn to before me and subscribed in my presence this 11th day of February, 2016.


Notary Public

MICHELE PENNINGTON
Notary Public, State of Ohio
My Commission Expires 10/10/17

RECEIVED

NOV 30 2015

BEFORE THE BOARD OF PROFESSIONAL CONDUCT
OF
THE SUPREME COURT OF OHIO

BOARD OF PROFESSIONAL CONDUCT

In re:

Complaint against

Angela Marie Whitt, Esq.
Whitt Legal Services, LLC
P.O. Box 171
Grove City, OH 43123

No. _____

15 - 072 d e

Attorney Registration No. (0081658)

COMPLAINT AND CERTIFICATE

Respondent,

(Rule V of the Supreme Court Rules for
the Government of the Bar of Ohio.)

Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411

FILED

DEC 10 2015

Relator.

BOARD OF PROFESSIONAL CONDUCT

Now comes the relator and alleges that Angela Marie Whitt, an Attorney at Law, duly admitted to the practice of law in the state of Ohio, is guilty of the following misconduct:

1. Respondent, Angela Marie Whitt, was admitted to the practice of law in the state of Ohio on May 14, 2007. Respondent is subject to the Rules of Professional Conduct and the Rules for the Government of the Bar of Ohio.
2. From October 2007 to May 2012, respondent was employed as the Office Manager for the Central Ohio Colon and Rectal Center ("COCRC"). As part of her duties and responsibilities, respondent occasionally provided legal services.
3. As the Office Manager, respondent had full access to the billing system, all of COCRC's financial records and bank accounts, credit card accounts, and each physician's personal identifying information.

Attachment A

4. After respondent terminated her employment in May 2012, it was discovered that she had misappropriated \$257,132.00 from the medical practice. While the majority of her misappropriation occurred during her employment, she continued to misappropriate funds even after she terminated her employment.
5. Respondent misappropriated the funds using credit cards belonging to two of the doctors, using the corporate credit card belonging to the medical practice, improperly disbursing cash from COCRC's checking account, and improperly reimbursing herself for unauthorized personal expenses.
6. The following table contains the various amounts of misappropriation according to the method employed:

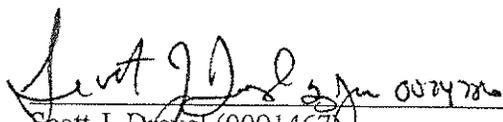
Unauthorized Use of Credit Card Accounts	Amount
Transactions on Dr. Giammar's credit card during respondent's employment	\$138,050.05
Transactions on Dr. Giammar's credit card after respondent's employment	\$20,079.01
Transactions on Dr. Kerner's credit card during respondent's employment	\$3,166.05
Transactions on Dr. Kerner's credit card after respondent's employment	\$266.63
Transactions on the corporate credit card during respondent's employment	\$63,645.26
Unauthorized Disbursements from COCRC's checking account	
Cash disbursements during respondent's employment	\$31,255.00
Expense reimbursements to Ms. Whitt	\$670.00
Total Misappropriation by respondent	\$257,132.00

7. Respondent used the misappropriated funds to pay various personal expenses, including student loan payments, medical bills, utility bills, and retail purchases.
8. On March 24, 2015, respondent appeared before the Honorable Guy L. Reece in the Court of Common Pleas of Franklin County, Ohio.

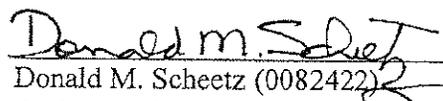
9. On that day, respondent waived her right to an Indictment and agreed to proceed via a Bill of Information. Respondent pled guilty to one count of Aggravated Theft, as a felony of the third degree, in violation of R.C. 2913.02.
10. As part of her plea, respondent admitted that she knowingly exerted control over COCRC's funds by deception and with the purpose to deprive COCRC of those funds.
11. On June 11, 2015, respondent was sentenced to 180 days in the Franklin County correctional system, placed on Community Control for a period of three years, ordered to complete OLAP, and ordered to pay \$10,000 in restitution. COCRC had an insurance policy that covered the loss, and the restitution amount reimbursed the medical practice for the deductible it was forced to pay.
12. On July 22, 2015, respondent paid the \$10,000 in restitution.
13. On July 24, 2015, the Supreme Court of Ohio suspended respondent from the practice of law for an interim period pursuant to Gov. Bar. R. V(18)(A)(1) due to her felony conviction.
14. Respondent's conduct, as alleged in this complaint, violates the following provisions of the Ohio Rules of Professional Conduct: Prof. Cond. R. 8.4(b) [A lawyer shall not commit an illegal act that reflects adversely on the lawyer's honesty or trustworthiness]; Prof. Cond. R. 8.4(c) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation]; and her conduct is sufficiently egregious to violate 8.4(h) [a lawyer shall not engage in any other conduct that adversely reflects on the lawyer's fitness to practice law].

CONCLUSION

Wherefore, pursuant to Gov. Bar R. V, the Code of Professional Responsibility and the Rules of Professional Conduct, relator alleges that respondent is chargeable with misconduct; therefore, relator requests that respondent be disciplined pursuant to Rule V of the Rules of the Government of the Bar of Ohio.



Scott J. Drexel (0091467)
Disciplinary Counsel

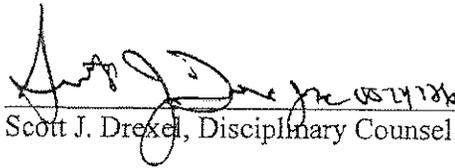


Donald M. Scheetz (0082422)
Assistant Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411
614.461.0256
614.461.7205 -- fax
Donald.Scheetz@sc.ohio.gov

CERTIFICATE

The undersigned, Scott J. Drexel, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that Donald M. Scheetz is duly authorized to represent relator in the premises and has accepted the responsibility of prosecuting the complaint to its conclusion. After investigation, relator believes reasonable cause exists to warrant a hearing on such complaint.

Dated: November 30, 2015



Scott J. Drexel, Disciplinary Counsel

2. Article Number



9414 7266 9904 2031 7045 18

3. Service Type **CERTIFIED MAIL®**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

Angela M. Whitt
Whitt Legal Services, LLC
P.O. Box 171
Grove City, OH 43123

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature *Angela M. Whitt* *7/23/05*

Agent Addressee

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

Reference Information

15-072 Whitt Pc materials
BOC

The Supreme Court of Ohio

BOARD OF PROFESSIONAL CONDUCT

65 SOUTH FRONT STREET, 5TH FLOOR, COLUMBUS, OH 43215-3431
Telephone: 614.387.9370 Fax: 614.387.9379
www.supremecourt.ohio.gov

PAUL M. DE MARCO
CHAIR
WILLIAM J. NOVAK
VICE-CHAIR

RICHARD A. DOVE
DIRECTOR
D. ALLAN ASBURY
SENIOR COUNSEL
HEIDI WAGNER DORN
COUNSEL

January 8, 2016

Angela Marie Whitt
PO Box 171
Grove City, OH 43123

Re: Disciplinary Counsel v. Angela Marie Whitt, Case No. 2015-072

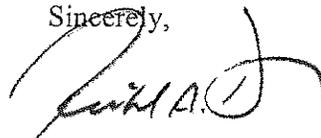
Dear Ms. Whitt:

On December 10, 2015, the Board of Professional Conduct certified a formal complaint naming you as the respondent in the above-captioned disciplinary matter. A copy of the enclosed complaint was sent to you via certified mail and service was completed on December 17, 2015. As of the date of this letter, the Board has not received your answer to the formal complaint or a motion to extend the time for filing an answer.

Pursuant to Gov. Bar R. V, Section 14, you are hereby notified that the Board will certify your default to the Supreme Court thirty days from the date of this letter. To avoid certification of default, you must file an answer to the formal complaint with the Board prior to the expiration of the thirty-day period. No extension of time to file an answer is authorized by the rule.

Please note that the certification of default may result in your immediate suspension from the practice law by the Supreme Court of Ohio.

Sincerely,



Richard A. Dove

Enclosure

cc: Scott Drexel, Disciplinary Counsel
Donald M. Scheetz, Assistant Disciplinary Counsel

Attachment C