

THE SUPREME COURT OF OHIO

DAYTON BAR ASSOCIATION,

\*

\* Case No.: 2013-1987

Relator,

\*

v.

\*

PETITION FOR REINSTATEMENT

BEN MUSA SWIFT,

\*

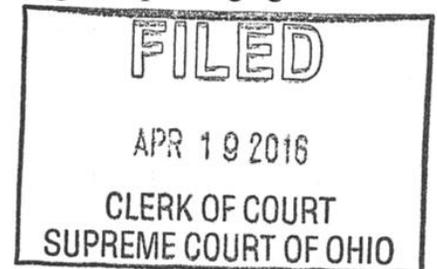
Respondent-Petitioner.

\*

Now comes Respondent, Ben Musa Swift, and petitions the Court the restore his privilege to practice law pursuant to Gov. Bar R. V (24). Respondent-Petitioner states that on November 6, 2014 he was suspended for two years from the practice of law by the Supreme Court of Ohio, with one year stayed on conditions. Respondent-Petitioner states that he has satisfied all such conditions imposed by this Court and that he is fully qualified for readmission to the practice of law (see Affidavit in Support of Petition for Reinstatement, Exhibit D).

In support of this Petition, Respondent-Petitioner sets forth the following:

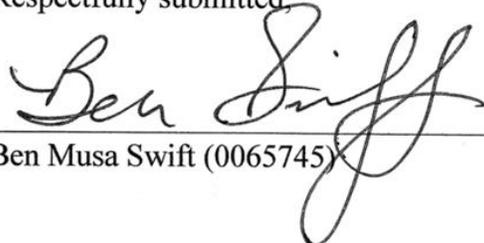
1. The suspension effective November 6, 2014 was ordered by decision dated November 6, 2014 as reported in Dayton Bar Association, Relator, v. Ben Musa Swift, Respondent, 2014-Ohio-4835, 142 Ohio St. 3d 476, 33 N.E.3d 1, attached hereto as Exhibit A;
2. No prior petition for reinstatement has been filed, however, more than one year has elapsed since the commencement of the suspension;
3. The Dayton Bar Association Certified Grievance Committee (600 Performance Place, 109 N. Main St., Suite 600, Dayton, Ohio 45402) and the Office of Disciplinary Counsel (250 Civic Center Drive, Suite 325, Columbus, Ohio 43215), were entitled to receive notice by certified copy from the Clerk of the Supreme Court of the Disciplinary Order of the Court against Respondent which resulted in the subject suspension;
4. The Certified Grievance Committee of the Dayton Bar Association prosecuted the underlying claim and in fact operates in the county in which Respondent-Petitioner currently resides, and where he proposes to maintain his office if reinstated;
5. Respondent-Petitioner states that no formal disciplinary proceedings are pending against him;



6. The Respondent-Petitioner has fully and completely complied with Continuing Legal Education requirements during the period of his suspension, as set forth in Exhibit B attached.
7. Through the period of his suspension, Respondent-Petitioner has supported himself through non-legal activities but has maintained his interest in and practical knowledge of law, and continues to be highly regarded in the community for his work.
8. Respondent-Petitioner has adhered to the highest moral principles, has demonstrated clear educational expertise and mental capacity, has maintained a residence and supported his family, and has otherwise demonstrated that he is well-qualified to be re-admitted to the practice of law in Ohio, notwithstanding the prior disciplinary action, which will be demonstrated by evidence at the hearing in this matter;
9. Respondent-Petitioner made appropriate restitution to all who were harmed by his misconduct consistent with the Court's prior Order and has paid all costs of the prosecution herein, specifically including restitution paid to the State of Ohio, and the counties of Montgomery, Greene, Clark, and Warren, as demonstrated in the copies of letters, checks and evidence of delivery attached hereto as Exhibit C, consistent with the aforementioned Order of the Supreme Court of Ohio;
10. Respondent-Petitioner previously filed his Affidavit of Compliance with the Court demonstrating his completion of requirements in the Order of the Court and has complied with all sanctions and paid all costs associated with his prior prosecution;
11. Respondent-Petitioner hereby agrees to submit to the required monitored probation, and has communicated through counsel with Bar Counsel for the Dayton Bar Association to identify a mutually acceptable and appropriate monitoring attorney.

WHEREFORE, Respondent-Petitioner submits himself for consideration by the Ohio Supreme Court for his return to the practice of law in the State of Ohio, and further agrees to abide by any and all requirements imposed by the Court as a precondition to that reinstatement.

Respectfully submitted



Ben Musa Swift (0065745)



---

Gary J. Leppla (0017172)  
ggleppla@leplaw.com  
Leppla Associates, Ltd.  
2100 South Patterson Blvd.  
Dayton, Ohio 45409-0612  
(937) 294-5959  
*Attorney for Respondent-Petitioner*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 18, 2016, this document was served via U.S. mail upon the following:

Dayton Bar Association  
c/o John Ruffolo, Bar Counsel  
600 Performance Place  
109 N. Main St., Suite 600  
Dayton, Ohio 45402

Office of Disciplinary Counsel  
250 Civic Center Drive, Suite 325  
Columbus, Ohio 43215

  
\_\_\_\_\_  
Gary J. Leppla

NOV 06 2014

## The Supreme Court of Ohio

CLERK OF COURT  
SUPREME COURT OF OHIO

Case No. 2013-1987

Dayton Bar Association,  
Relator,  
v.  
Ben Musa Swift,  
Respondent.

ON CERTIFIED REPORT BY THE  
BOARD OF COMMISSIONERS ON  
GRIEVANCES AND DISCIPLINE OF  
THE SUPREME COURT

## ORDER

The Board of Commissioners on Grievances and Discipline filed its final report in this court on December 17, 2013, recommending that, pursuant to Gov.Bar R. V(6)(B)(3), respondent, Ben Musa Swift, be suspended from the practice of law for a period of two years with one year stayed on conditions. No objections to said final report were filed, and this cause was considered by the court.

On consideration thereof, it is ordered and adjudged by this court that pursuant to Gov.Bar R. V(6)(B)(3) and consistent with the opinion rendered herein, respondent, Ben Musa Swift, Attorney Registration No. 0065745, last known business address in Dayton, Ohio, is suspended from the practice of law for a period of two years with the second year stayed on the conditions that respondent submit to a one-year period of monitored probation and commit no further misconduct. It is further order that if respondent fails to comply with these conditions, the stay will be revoked and he will serve the entire two-year suspension. It is further ordered that before applying for reinstatement, respondent must make full restitution of \$50,000 to be distributed as follows: (1) the state of Ohio, \$20,000 (40 percent), (2) Montgomery County, \$21,900 (43.8 percent), (3) Greene County, \$2,700 (5.4 percent), (4) Clark County, \$300 (0.6 percent), and (5) Warren County, \$5,100 (10.2 percent).

It is further ordered that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency, or other public authority.

It is further ordered that respondent is hereby forbidden to counsel, advise, or prepare legal instruments for others or in any manner perform legal services for others.

It is further ordered that respondent is hereby divested of each, any, and all of the rights, privileges, and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

It is further ordered that before entering into an employment, contractual, or consulting relationship with any attorney or law firm, respondent shall verify that the attorney or law firm has complied with the registration requirements of Gov.Bar R. V(8)(G)(3). If employed pursuant to Gov.Bar R. V(8)(G), respondent shall refrain from direct client contact except as provided in Gov.Bar R. V(8)(G)(1) and from receiving, disbursing, or otherwise handling any client trust funds or property.

It is further ordered that respondent be taxed the costs of these proceedings in the amount of \$3,954.30, which costs shall be payable to this court by cashier's check or money order on or before 90 days from the date of this order. It is further ordered that if these costs are not paid in full on or before 90 days from the date of this order, interest at the rate of 10% per annum shall accrue as of 90 days from the date of this order and the matter may be referred to the Attorney General for collection. It is further ordered that respondent is liable for all collection costs pursuant to R.C. §131.02 if the debt is certified to the Attorney General for collection. It is further ordered that respondent may not apply for reinstatement until costs and all accrued interest are paid in full.

It is further ordered by the court that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded against respondent by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered by the court that if after the date of this order the Clients' Security Fund awards any amount against respondent pursuant to Gov.Bar R. VIII(7)(F), respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award.

It is further ordered that, pursuant to Gov.Bar R. X(13), respondent shall complete one credit hour of continuing legal education for each month, or portion of a month, of the suspension. As part of the total credit hours of continuing legal education required by Gov.Bar R. X(13), respondent shall complete one credit hour of instruction related to professional conduct required by Gov.Bar R. X(3)(B), for each six months, or portion of six months, of the suspension.

It is further ordered that respondent shall not be reinstated to the practice of law in Ohio until (1) respondent complies with the requirements for reinstatement set forth in the Supreme Court Rules for the Government of the Bar of Ohio, (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, (3) respondent complies with this and all other orders of the court, and (4) this court orders respondent reinstated.

It is further ordered that on or before 30 days from the date of this order, respondent shall do the following:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;
2. Regardless of any fees or expenses due, deliver to all clients being represented in pending matters any papers or other property pertaining to the client or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;
3. Refund any part of any fees or expenses paid in advance that are unearned or not paid and account for any trust money or property in respondent's possession or control;

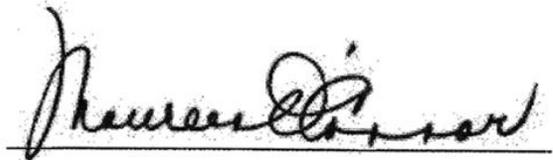
4. Notify opposing counsel or, in the absence of counsel, the adverse parties in pending litigation of respondent's disqualification to act as an attorney after the effective date of this order and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;
5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;
6. File with the clerk of this court and disciplinary counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of the notices required herein, and setting forth the address where the respondent may receive communications; and
7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

It is further ordered that respondent shall keep the clerk, the Dayton Bar Association, and disciplinary counsel advised of any change of address where respondent may receive communications.

It is further ordered that on or before 30 days of the date of this order respondent shall surrender his attorney registration card for the 2013/2015 biennium.

It is further ordered that service shall be deemed made on respondent by sending this order, and all other orders in this case, by certified mail to the most recent address respondent has given to the Office of Attorney Services.

It is further ordered that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.



Maureen O'Connor  
Chief Justice

Activity															
Date	Type	Code	Name	Subst Hours	Ethics Hours	Prof Hours	Gen Hours	JFair Hours	APC	JPC	NGen Hours	NLOM Hours	NFund Hours	NProf Hours	Total Hours
3/16/2016	CLE	322193	Immigration Law: What Every Ohio Lawyer Needs to Know	---	---	---	5.00	---	1.00	---	---	---	---	---	6.00
														CLE Subtotal	6.00
1/1/2015	SSD	287537	Accounts Receivable Management for Attorneys	---	---	---	1.00	---	---	---	---	---	---	---	1.00
1/1/2015	SSD	287565	Digital Citizenship in Schools: From Policy to Practice	---	---	---	1.00	---	---	---	---	---	---	---	1.00
1/1/2015	SSD	287573	Federal Indian Law: An Introduction	---	---	---	2.00	---	---	---	---	---	---	---	2.00
1/1/2015	SSD	287577	How to Avoid Legal Malpractice Claims	---	---	---	---	---	1.00	---	---	---	---	---	1.00
1/1/2015	SSD	287581	How to Handle Cases with High Media Attention	---	---	---	1.00	---	---	---	---	---	---	---	1.00
1/1/2015	SSD	287585	I Think I Just Received eDiscovery: WHAT NOW?	---	---	---	1.00	---	---	---	---	---	---	---	1.00
1/1/2015	SSD	287593	Legal Ethics: Civility & Zealous Representation	---	---	---	---	---	1.00	---	---	---	---	---	1.00
1/1/2015	SSD	287601	Persuasion: The Dangers of Over-Aggressive Lawyering	---	---	---	1.00	---	---	---	---	---	---	---	1.00
1/1/2015	SSD	287617	Basics of Patent Law	---	---	---	1.00	---	---	---	---	---	---	---	1.00
1/1/2015	SSD	287629	Winning on Appeal	---	---	---	1.00	---	---	---	---	---	---	---	1.00
1/1/2015	SSD	287633	Sobering Side of the Legal Profession	---	---	---	---	---	1.00	---	---	---	---	---	1.00
														Self Study Subtotal	12.00

For Compliance Period 1/1/2015 Through 12/31/2016

	I	II	III	IV	V
	Current Requirement	Previous Carryover/Deficiency	Adjusted Requirement	Completed	Carry Forward or Deficiency as of 4/14/2016
Total	0.00	0.00	0.00	18.00	0.00

Activity Type Key

CLE	Attendance	NEW	New Lawyer Training	PUB	Publication
JC	Judicial College	NJC	National Judicial College	SKB	Skills Based
JCS	Judicial College Self Study	NLS	New Lawyer Self Study	SSD	Self Study

Gary J. Leppla \*  
Miranda R. Leppla  
Philip J. Leppla  
Taylor Jones, Jr.

\*also admitted in Florida

# Leppla Associates, Ltd.

2100 S. Patterson Blvd.  
Dayton, Ohio 45409  
(937) 294-5959 / Fax 294-4411  
www.LepLaw.com

Mailing Address:  
Wright Brothers Station  
P.O. Box 612  
Dayton, Ohio 45409-0612

March 28, 2016

Dick Gould, CPA  
Greene County Treasurer  
15 Greene St.  
P.O. Box 427  
Xenia, OH 45385

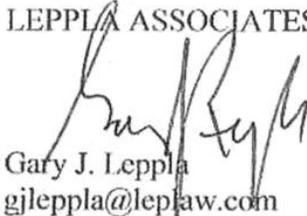
**RE: Ben Musa Swift**  
**Supreme Court Case No.: 2013-1987**

Dear Mr. Gould,

Enclosed is a check in the amount of Two Thousand Seven Hundred Dollars and 00 Cents (\$2,700.00) payable to the Treasurer, Greene County, Ohio. These sums are paid to you on behalf of my client, Ben Musa Swift in accordance with the attached Order from the Ohio Supreme Court. If you have questions feel free to contact me directly.

Very truly yours,

LEPPLA ASSOCIATES, Ltd.



Gary J. Leppla  
gjleppla@leplaw.com

GJL/mad

Enclosure

**EXHIBIT C**

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



**CASHIER'S CHECK**

Date 03/24/2016

9209609215

25-3

Void after 7 years

440

Remitter: DIONNE SWIFT

Pay To The Order Of: TREASURER, GREENE COUNTY, OHIO

Pay: TWO THOUSAND SEVEN HUNDRED DOLLARS AND 00 CENTS

\*\*\* 2,700.00 \*\*

Do not write outside this box

Memo: Ben Swift, Supreme Court case # 2013-1987

Note: For information only. Comment has no effect on bank's payment.

Drawer: JPMORGAN CHASE BANK, N.A.

*Ben Volan*

Senior Vice President  
JPMorgan Chase Bank, N.A.  
Columbus, OH



⑈ 9 209609215⑈ ⑆ 044000037⑆ 758661318⑈



Proof of Delivery

[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

**Tracking Number:** 1ZEA15292310000573  
**Service:** UPS NEXT DAY AIR SAVER  
**Delivered On:** 08/04/2016 12:15  
**Delivered To:** XENIA, OH, US  
**Signed By:** LYNCH  
**Left At:** Front desk

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 08/04/2016 14:53 ET

[Print This Page](#)

[Close Window](#)

Gary J. Leppla \*  
Miranda R. Leppla  
Philip J. Leppla  
Taylor Jones, Jr.

# Leppla Associates, Ltd.

2100 S. Patterson Blvd.  
Dayton, Ohio 45409  
(937) 294-5959 / Fax 294-4411  
www.LepLaw.com

Mailing Address:  
Wright Brothers Station  
P.O. Box 612  
Dayton, Ohio 45409-0612

\*also admitted in Florida

March 28, 2016

Timothy Young  
Ohio Public Defender  
250 East Broad Street, Suite 1400  
Columbus, OH 43215

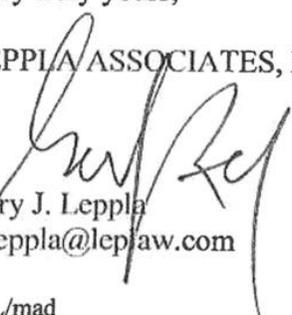
**RE: Ben Musa Swift**  
**Supreme Court Case No.: 2013-1987**

Dear Tim,

Enclosed is a check in the amount of Twenty Thousand Dollars and 00 Cents (\$20,000.00) payable to the Treasurer, State of Ohio. These sums are sent to you on behalf of my client, Ben Musa Swift in accordance with the attached Order from the Ohio Supreme Court. As we discussed, we are hopeful that by sending these funds through you the funds will be directed properly to the State. Thanks for your assistance. If you have questions feel free to contact me directly.

Very truly yours,

LEPPLA ASSOCIATES, Ltd.

  
Gary J. Leppla  
gjlleppla@lepaw.com

GJL/mad

Enclosure

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



**CASHIER'S CHECK**

9209609213

25-3

Date 03/24/2016

Void after 7 years

440

Remitter: DIONNE SWIFT

Pay To The **TREASURER, STATE OF OHIO**  
Order Of:

Pay: TWENTY THOUSAND  
DOLLARS AND 00 CENTS

\*\*\* 20,000.00 \*\*

Drawer: JPMORGAN CHASE BANK, N.A.

*Ben Wade*  
Senior Vice President  
JPMorgan Chase Bank, N.A.  
Columbus, OH



Do not write outside this box  
Memo Ben Swift, Supreme court case #2013-1987  
Note: For information only. Comment has no effect on bank's payment.

⑈9209609213⑈ ⑆044000037⑆ 758661318⑈



**Proof of Delivery**

[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

<b>Tracking Number:</b>	1ZEA15292310000411
<b>Service:</b>	UPS NEXT DAY AIR SAVER
<b>Delivered On:</b>	08/04/2016 12:28
<b>Delivered To:</b>	COLUMBUS, OH, US
<b>Signed By:</b>	KIEFEL
<b>Left At:</b>	Office

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 08/04/2016 14:54 ET

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Gary J. Leppla \*  
Miranda R. Leppla  
Philip J. Leppla  
Taylor Jones, Jr.

# Leppla Associates, Ltd.

2100 S. Patterson Blvd.  
Dayton, Ohio 45409  
(937) 294-5959 / Fax 294-4411  
www.LepLaw.com

Mailing Address:  
Wright Brothers Station  
P.O. Box 612  
Dayton, Ohio 45409-0612

\*also admitted in Florida

March 28, 2016

Jim Aumann  
Warren County Treasurer  
406 Justice Drive  
Lebanon, OH 45036

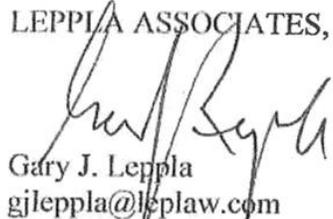
**RE: Ben Musa Swift  
Supreme Court Case No.: 2013-1987**

Dear Treasurer Aumann,

Enclosed is a check in the amount of Five Thousand One Hundred Dollars and 00 Cents (\$5,100.00) payable to the Treasurer, Warren County, Ohio. These sums are paid to you on behalf of my client, Ben Musa Swift in accordance with the attached Order from the Ohio Supreme Court. If you have questions feel free to contact me directly.

Very truly yours,

LEPPLA ASSOCIATES, Ltd.

  
Gary J. Leppla  
gjleppla@leplaw.com

GJL/mad

Enclosure

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



CASHIER'S CHECK

9209609216 25-3  
Void after 7 years 440

Date 03/24/2016

Remitter: DIONNE SWIFT

Pay To The Order Of: TREASURER, WARREN COUNTY, OHIO

Pay: FIVE THOUSAND ONE HUNDRED DOLLARS AND 00 CENTS

\$\$\$5,100.00 \*\*

Do not write outside this box

Memo: Ben Swift, Supreme court case # 2013-1987

Note: For information only. Comment has no effect on bank's payment.

Drawer: JPMORGAN CHASE BANK, N.A.

*Ben V. Dean*  
Senior Vice President  
JPMorgan Chase Bank, N.A.  
Columbus, OH



⑈9209609216⑈ ⑆044000037⑆ 758661318⑈



Proof of Delivery

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Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

<b>Tracking Number:</b>	1ZEA15292310000555
<b>Service:</b>	UPS NEXT DAY AIR SAVER
<b>Delivered On:</b>	08/04/2016 10:29
<b>Delivered To:</b>	LEBANON, OH, US
<b>Signed By:</b>	GRAY
<b>Left At:</b>	Front desk

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 08/04/2016 10:37 ET

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Gary J. Leppla \*  
Miranda R. Leppla  
Philip J. Leppla  
Taylor Jones, Jr.

# Leppla Associates, Ltd.

2100 S. Patterson Blvd.  
Dayton, Ohio 45409  
(937) 294-5959 / Fax 294-4411  
www.LepLaw.com

Mailing Address:  
Wright Brothers Station  
P.O. Box 612  
Dayton, Ohio 45409-0612

\*also admitted in Florida

March 28, 2016

Judith A. Zimmerman  
Director, Finance & Investments  
Montgomery County Treasurers Office  
451 W. Third St.  
Dayton, OH 45422-1475

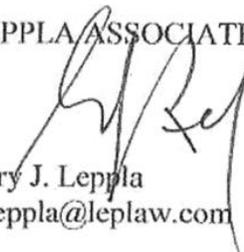
**RE: Ben Musa Swift**  
**Supreme Court Case No.: 2013-1987**

Dear Ms. Zimmerman,

Enclosed is a check in the amount of Twenty One Thousand Nine Hundred Dollars and 00 Cents (\$21,900.00) payable to the Montgomery County, Ohio Treasurer. These sums are paid to you on behalf of my client, Ben Musa Swift in accordance with the attached Order from the Ohio Supreme Court. If you have questions feel free to contact me directly.

Very truly yours,

LEPPLA ASSOCIATES, Ltd.

  
Gary J. Leppla  
gileppla@leplaw.com

GJL/mad

Enclosure

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



CASHIER'S CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

9209609214 25-3  
Void after 7 years 440

Date 03/24/2016

Remitter: DIONNE SWIFT

Pay To The MONTGOMERY COUNTY, OHIO TREASURER  
Order Of:

Pay: TWENTY ONE THOUSAND NINE HUNDRED  
DOLLARS AND 00 CENTS

\*\*\* 21,900.00 \*\*

Do not write outside this box

Memo: Ben Swift, Supreme court case # 2013-1987

Note: For information only. Comment has no effect on bank's payment.

Drawer: JPMORGAN CHASE BANK, N.A.

*Ben V. Dean*

Senior Vice President  
JPMorgan Chase Bank, N.A.  
Columbus, OH



⑈9209609214⑈ ⑆044000037⑆ 758661318⑈



Proof of Delivery

[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

<b>Tracking Number:</b>	1ZEA15292310000402
<b>Service:</b>	UPS NEXT DAY AIR SAVER
<b>Delivered On:</b>	08/04/2016 10:11
<b>Delivered To:</b>	DAYTON, OH, US
<b>Signed By:</b>	BOHRINGER
<b>Left At:</b>	Dock

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 08/04/2016 10:33 ET

[Print This Page](#)

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Gary J. Leppla \*  
Miranda R. Leppla  
Philip J. Leppla  
Taylor Jones, Jr.

\*also admitted in Florida

# Leppla Associates, Ltd.

2100 S. Patterson Blvd.  
Dayton, Ohio 45409  
(937) 294-5959 / Fax 294-4411  
www.LepLaw.com

Mailing Address:  
Wright Brothers Station  
P.O. Box 612  
Dayton, Ohio 45409-0612

March 28, 2016

Stephen T. Metzger  
Clark County Treasurer  
31 N. Limestone St.  
P.O. Box 1305  
Springfield, OH 45501

**RE: Ben Musa Swift**  
**Supreme Court Case No.: 2013-1987**

Dear Mr. Metzger,

Enclosed is a check in the amount of Three Hundred Dollars and 00 Cents (\$300.00) payable to the Treasurer, Clark County, Ohio. These sums are paid to you on behalf of my client, Ben Musa Swift in accordance with the attached Order from the Ohio Supreme Court. If you have questions feel free to contact me directly.

Very truly yours,

LEPPLA ASSOCIATES, Ltd.

  
Gary J. Leppla  
gjleppla@leplaw.com

GJL/mad

Enclosure

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



**CASHIER'S CHECK**

9209609217 25-3  
Void after 7 years 440

Date 03/24/2016

Remitter: DIONNE SWIFT

Pay To The Order Of: TREASURER, CLARK COUNTY, OHIO

Pay: THREE HUNDRED DOLLARS AND 00 CENTS

\$\*\* 300.00 \*\*

Do not write outside this box

Memo: Ben Swift, Supreme Court case # 2013-1987

Note: For information only. Comment has no effect on bank's payment.

Drawer: JPMORGAN CHASE BANK, N.A.

*Ben V. Dean*

Senior Vice President  
JPMorgan Chase Bank, N.A.  
Columbus, OH



⑈9209609217⑈ ⑆044000037⑆ 758661318⑈



Proof of Delivery

[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

<b>Tracking Number:</b>	1ZEA15292310000564
<b>Service:</b>	UPS NEXT DAY AIR SAVER
<b>Delivered On:</b>	08/04/2016 11:36
<b>Delivered To:</b>	SPRINGFIELD, OH, US
<b>Signed By:</b>	CLARK
<b>Left At:</b>	Reception

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Sincerely,

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**THE SUPREME COURT OF OHIO**

In re: Complaint against \*  
**BEN MUSA SWIFT,** \* **SCO Case No.: 2013-1987**  
Respondent \*  
v. \*  
**DISCIPLINARY COUNSEL,** \* **AFFIDAVIT IN SUPPORT OF**  
Relator. \* **PETITION FOR REINSTATEMENT**  
\*

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**STATE OF OHIO** )  
: **ss**  
**COUNTY OF MONTGOMERY** )

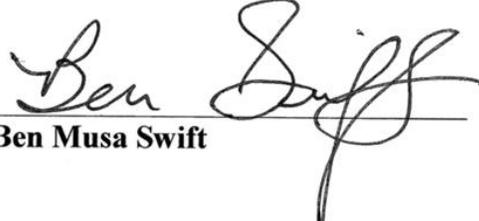
Now comes Affiant, Ben Musa Swift, being duly cautioned and sworn, and hereby deposes and states as follows:

1. The undersigned, Ben Musa Swift, affirms that all information in the Petition for Reinstatement is true and accurate;
2. The affiant hereby states and certifies that he has abided by each and every condition set forth in the Order by the Ohio Supreme Court issued November 6, 2014, suspending him from the practice of law;
3. That the affiant hereby submits and agrees to a one year period of monitored probation and the requirement that he commit no further misconduct as a condition of his reinstatement, as the Supreme Court has ordered;
4. That he has made full restitution of fifty thousand dollars (\$50,000.00) distributed to the State of Ohio, Montgomery County, Greene County, Clark County and Warren County, by payment by certified check (see Exhibit C) in the amount set forth in the aforementioned November 6, 2014 Order of the Supreme Court, by payments made to the Treasurer of each entity delivered to the State Public Defender, County Auditor, or directly to the County Treasurers as directed by those entities through my lawyer;
5. That he has engaged in no practice of law in any nature whatsoever or counseled, advised or prepared legal instruments for anyone during the period of his suspension;
6. That he has paid to the Office of the Clerk, through Case Management Counsel, Melissa M. Ferguson, all costs taxed for these proceedings together with interest;

**EXHIBIT D**

7. That there has been no claim made under the client security fund but he remains able and willing to reimburse any amounts that could be awarded in the future;
8. That he has completed one (1) credit hour of Continuing Legal Education (CLE) for each month, or portion of a month, of his suspension as verified in the Continuing Legal Education records maintained by the Ohio Supreme Court;
9. That he has complied with requirements set forth in Supreme Court Rules for the government of the Bar for reinstatement and otherwise, and has complied with all orders of the Supreme Court of Ohio and will comply with any orders the Court imposes as a condition of his reinstatement;
10. That within thirty (30) days of the date of his original suspension:
  - a. He notified all clients being represented in pending matters and any co-counsel of his suspension, notifying the clients to seek legal service elsewhere in calling their attention to any urgent matters;
  - b. He delivered to all clients being represented in pending matters all papers or other property pertaining to the client identifying any matters of urgent concern;
  - c. He has refunded part of any fees or expenses paid in advanced that were unearned;
  - d. That he has notified opposing counsel and/or adverse parties in then pending litigation of disqualification to act as an attorney beginning with the date of his suspension;
  - e. He has sent all notices required by the Court and by certified mail;
  - f. That proof of service of all notices is attached hereto;
  - g. He has retained and maintained a record of the various steps taken pursuant to the Court's Order;
11. That within thirty (30) days of the date of his suspension he surrendered his attorney registration card, and has subsequently paid registration fees even for the period of time of his suspension;
12. That he seeks reinstatement to the practice of law, that he affirms his fitness and ability in that regard, and states that he will abide by all orders of the Supreme Court, past, present and future, with regard to his practice.

Further affiant sayeth naught.

  
**Ben Musa Swift**

Before me, a Notary Public, personally appeared the above-named Ben Musa Swift, who acknowledged that he did sign the foregoing Affidavit and that the same is his free act and deed.

13th **IN TESTIMONY WHEREOF**, I have hereunto set my hand and official seal on this day of April, 2016.

  
Notary Public

**GARY J. LEPPLA, Attorney at Law**  
Notary Public, State of Ohio  
My Commission has no expiration date.  
Section 147.03 O. R. C.