

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

FILED

DEC 22 2015

BOARD OF PROFESSIONAL CONDUCT

In re:

Complaint against

**Arthur Arould Ames, Esq.
910 Harman Avenue
Dayton, Ohio 45419-3434**

No. _____

15 - 079 a a

Attorney Registration No. (0018227)

Respondent,

COMPLAINT AND CERTIFICATE

**(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**

Relator.

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

1. Respondent, Arthur Arould Ames, was admitted to the practice of law in the state of Ohio on October 16, 1969. Respondent is subject to the Ohio Rules of Professional Conduct and the Supreme Court Rules for the Government of the Bar of Ohio.
2. On August 4, 2015, respondent was indicted by the Highland County Grand Jury and was charged in the Highland County Court of Common Pleas in *State of Ohio v. Arthur Ames*, Case No. 15 CR 0190, with one count of theft by deception, a fourth-degree felony, in

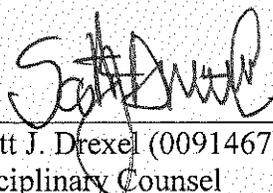
violation of R.C. 2913.02(A)(3), and with one count of falsification, a first-degree misdemeanor, in violation of R.C. 2921.13(A)(10).

3. Respondent was executor of the estate of his late brother in the probate proceeding entitled *Estate of Weston David Ames*, Highland County Probate Court Case No. 2013-1053. Weston David Ames had died on February 21, 2013.
4. The beneficiaries of Weston David Ames' estate consisted of respondent and the decedent's two daughters, Lesle Zayat and Aerin Sandstrom, each of whom were to share equally in the assets of the estate.
5. The theft charges against respondent arose from his misappropriation of \$8,140.39 his nieces' share of the proceeds from the estate of Weston David Ames.
6. On November 5, 2015, respondent pled guilty to an amended charge of theft by deception, a fifth-degree felony, in violation of R.C. 2913.02(A)(3). Respondent further agreed to waive his executor's fee and to make restitution in the amount of \$5,640.39.
7. In light of respondent's guilty plea to a violation of R.C. 2913.02(A)(3), the prosecuting attorney dismissed the falsification charge against him.
8. On December 9, 2015, the court sentenced respondent to a period of three years of community control and ordered him, among other things, to (a) pay restitution to the Estate of Weston David Ames in the amount of \$5,640.39 through the Victim Restitution Escrow Account at the rate of \$160 per month, with full restitution to be completed by December 1, 2018; and (b) perform 400 hours of community service at the rate of 20 hours per week for 20 consecutive weeks.

9. By order filed December 10, 2015 in Case No. 2015-1956, the Supreme Court imposed an interim felony suspension upon respondent in accordance with Gov. Bar R. V(18)(A)(4), suspending respondent from the practice of law in Ohio pending the investigation, initiation and completion of this disciplinary proceeding against him.
10. By misappropriating funds from the *Estate of Weston David Ames* while serving as executor of the estate, respondent violated the following provisions of the Ohio Rules of Professional Conduct:
- (a) Prof. Conduct R. 8.4(b) [committing an illegal act that reflects adversely on the lawyer's honesty or trustworthiness];
 - (b) Prof. Conduct R. 8.4(c) [engaging in conduct involving dishonesty, fraud, deceit or misrepresentation]; and
 - (c) Prof. Conduct R. 8.4(d) [engaging in conduct that is prejudicial to the administration of justice].

CONCLUSION

Wherefore, pursuant to Gov. Bar R. V and the Ohio 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.

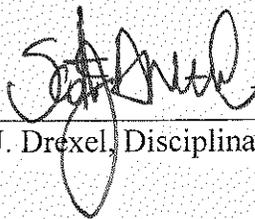


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CERTIFICATE

The undersigned, Scott J. Drexel, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that Scott J. Drexel 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: December 22, 2015



Scott J. Drexel, Disciplinary Counsel

Gov. Bar R. V, § 4(I) Requirements for Filing a Complaint.

(1) Definition. "Complaint" means a formal written allegation of misconduct or mental illness of a person designated as the respondent.

* * *

(7) Complaint Filed by Certified Grievance Committee. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by a Certified Grievance Committee shall be filed in the name of the committee as relator. The complaint shall not be accepted for filing unless signed by one or more attorneys admitted to the practice of law in Ohio, who shall be counsel for the relator. The complaint shall be accompanied by a written certification, signed by the president, secretary, or chair of the Certified Grievance Committee, that the counsel are authorized to represent the relator in the action and have accepted the responsibility of prosecuting the complaint to conclusion. The certification shall constitute the authorization of the counsel to represent the relator in the action as fully and completely as if designated and appointed by order of the Supreme Court with all the privileges and immunities of an officer of the Supreme Court. The complaint also may be signed by the grievant.

(8) Complaint Filed by Disciplinary Counsel. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by the Disciplinary Counsel shall be filed in the name of the Disciplinary Counsel as relator.

(9) Service. Upon the filing of a complaint with the Secretary of the Board, the relator shall forward a copy of the complaint to the Disciplinary Counsel, the Certified Grievance Committee of the Ohio State Bar Association, the local bar association, and any Certified Grievance Committee serving the county or counties in which the respondent resides and maintains an office and for the county from which the complaint arose.

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OF
THE SUPREME COURT OF OHIO

In re:

Complaint against

Arthur Arould Ames, Esq.
910 Harman Avenue
Dayton, OH 45419-3434

Attorney Reg. No. 0018227

Respondent,

Case No. B5-2587

WAIVER OF DETERMINATION
OF PROBABLE CAUSE

(Rule V(11)(B), Supreme Court Rules
For Government of Bar of Ohio)

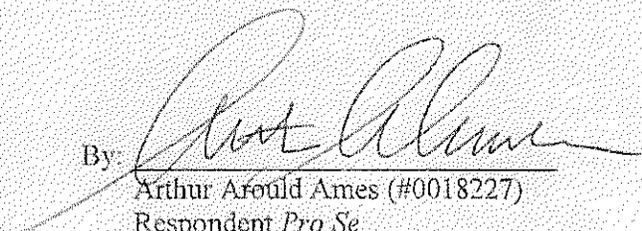
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Relator.

Pursuant to the provisions of Rule V(11)(B) of the Supreme Court Rules for the Government of the Bar of Ohio, respondent, **Arthur Arould Ames**, hereby stipulates that there is probable cause for the filing of a Complaint in the above-referenced proceeding and hereby waives the determination of probable cause by a Probable Cause Panel of the Board of Professional Conduct.

Dated: December 22, 2015

By:


Arthur Arould Ames (#0018227)
Respondent *Pro Se*