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SEP 25 2015

BOARD OF PROFESSIONAL CONDUCT
BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

In re:
Complaint against

Case No. 15 - 059

SHAWN P. HOOKS, ESQ.
Deal & Hooks, LLC
131 North Ludlow Street
Suite 630
Dayton, OH 45402-1151
Attorney Reg. No.

COMPLAINT

Respondent,

DAYTON BAR ASSOCIATION,

Relator.

FILED

NOV 09 2015

BOARD OF PROFESSIONAL CONDUCT

PROCEDURAL BACKGROUND

1. This complaint is brought on behalf of Complainant Clarence Walker who at all times relevant hereto, resided at 3673 Hanry Road, Dayton, Ohio 45416. Clarence Walker is the father of Mark Walker. Mark Walker, as of October 8, 2014, was incarcerated in the Montgomery County Jail.

2. Clarence Walker, who at all relevant times resided at 104 West Crawford Avenue, Monterey, Tennessee ("Complainant"). This Complaint arises from an attorney-client relationship between Complainant's son, Mark Walker, and with attorney Shawn P. Hooks ("Respondent"), who currently practices law, but who at all relevant times practiced as an

attorney licensed in the State of Ohio at an office located at 131 North Ludlow Street, Suite 630, Dayton, Ohio 45402-1151.

3. Complainant filed his Complaint with Relator Dayton Bar Association on September 8, 2014, asserting that inadequate legal services had been rendered by Respondent, as described more fully below. Relator appointed attorney Brooks A. Compton to investigate such complaint, and on December 18, 2014, said investigator issued his report, including a synopsis of the relevant facts, a recitation of the disciplinary rules involved, and the investigator's conclusions.

FACTS

4. In May 2014, Complainant hired Respondent to represent Mark Walker in a drug related criminal matter pending in Federal court. *United States of America v. Mark Walker*, Case No. 3:14-cr-00135 United States District Court Southern District of Ohio (Dayton). Complainant paid Respondent \$3500 in three different installments and an additional \$500 was paid to Respondent by a family friend for a total of \$4,000.

5. Beginning in late May of 2014, Complainant tried several times to reach Respondent to ask him to contact Mark Walker and/or to find out the status. This was done by text and telephone calls. Complainant had limited contact with Respondent as did his son, Mark Walker, despite payment of \$4,000.00.

6. Specifically, after receipt of the \$4,000, Respondent began representation of Mark Walker in the above case, yet failed to do anything beyond entering a plea on Mark Walker's behalf. Thereafter, because Mark Walker had essentially been abandoned by Respondent, Respondent was removed on December 18, 2014 and new counsel appointed on behalf of Mark Walker. The case was then concluded on March 30, 2015.

7. During the course of the investigation by Relator, at least six (6) attempts were made to contact Respondent. These included contacting his former office which gave Relator a new number to contact Respondent, a conversation in which Respondent's former law partner stated he would text Respondent and advise him to contact Relator, an unreturned letter and several telephone calls to Respondent's personal cell phone which went into voice mail. Despite these efforts by Relator, no calls were returned and no attempt was made by Respondent to reach Relator.

8. On December 30, 2014, an "Order to Show Cause" was filed in Case No. 2014-2214, *Disciplinary Counsel v. Shawn Hooks* with an order that the parties show cause why an interim default suspension should not be imposed by the court and the disciplinary order so entered. As of this date, no action has been taken on this Order.

COUNT I
(Violation of Rule 1.3)

9. In failing to respond to information concerning Mark Walker and in failing to communicate with Mark Walker, Respondent has failed to act with reasonable diligence in violation of Rule 1.3 of the Ohio Rules of Professional Conduct.

COUNT II
(Violation of Rule 1.1)

10. Respondent's failure to represent Mark Walker is a violation of Rule 1.1, neglecting a legal matter entrusted to him.

COUNT III
(Violation of Rule 8.1)

11. Respondent's failure to respond to request for information from Relator is a violation of Rule 8.1 of the Ohio of Professional Conduct.

WHEREFORE, the Relator respectfully requests that the Board of Commissioners find that the Respondent violated the aforementioned sections of the Code of Professional Responsibility Rules of Professional Conduct, and that the Respondent be disciplined and sanctioned in accordance with the Rules for the Government of the Bar.

Respectfully submitted,



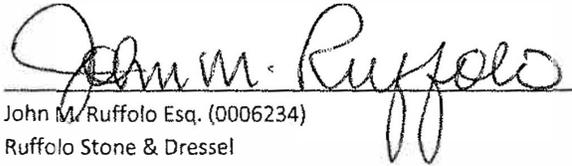
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CERTIFICATE

The undersigned Bar Counsel of the Dayton Bar Association hereby certifies that Dianne Marx, 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 9-23-15



John M. Ruffolo Esq. (0006234)
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