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

BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

In re:

Complaint against

**Mohammed Noure Alo, Esq.
Harrison Alo
4249 Easton Way Suite 125
Columbus, OH 43219**

14 - 071 

No. _____

Attorney Registration No. (0078288)

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

OCT 06 2014

Relator.

BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

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

1. Respondent, Mohammed Noure Alo, was admitted to the practice of law in the state of Ohio on November 8, 2004. Respondent is subject to the Code of Professional Responsibility, the Rules of Professional Conduct, and the Rules for the Government of the Bar of Ohio.
2. On June 30, 2014, the Supreme Court suspended respondent from the practice of law on an interim basis based upon his felony conviction in federal court, Case No. 2:13-cr-00183-MHW-TPK-2.

COUNT ONE

THE BAPTISTE MATTER

3. On January 30, 2012, Vaguena Jean Baptiste retained respondent to help her obtain a green card. Respondent received \$5,925 in advanced attorney fees.
4. Respondent applied for Temporary Protected Status, work authorization, and travel documents for Baptiste.
5. Respondent also agreed to reopen Baptiste's immigration case in order to apply for a green card.
6. Respondent drafted a brief for an asylum claim and forwarded it to Baptiste.
7. In August 2013, respondent's alleged participation in a criminal conspiracy was reported in the Columbus Dispatch.
8. Baptiste met with respondent in response to the news articles, and respondent assured her that everything was fine and would move forward as planned.
9. However, Baptiste could not reliably communicate with respondent. Throughout the representation, respondent failed to return Baptiste's phone calls and emails.
10. Following the August 2013 meeting, Baptiste sent respondent approximately 20 text messages. Respondent failed to respond to any of these texts.
11. After respondent failed to respond to her texts, Baptiste fired respondent and requested that he return her file and issue a refund of the unearned portion of her fee. Respondent did not comply with her requests.
12. Respondent eventually left Baptiste's file at the front desk of his office in March 2014 after the Office of Disciplinary Counsel intervened.
13. Respondent has not refunded any of Baptiste's fee.

THE REED MATTER

14. Michael Reed filed a federal lawsuit against Franklin County for injuries he sustained as a result of being tased while in the custody of Franklin County Sheriff's deputies, *Shreve et al. v. Franklin County et al.*, 2:10-cv-644. Reed was one of several plaintiffs in the matter.
15. Reed was originally represented by Disability Rights Ohio; however, Reed eventually hired respondent to represent him in the matter. Respondent filed a Notice of Appearance on May 17, 2012.
16. On May 24, 2012, Disability Rights Ohio began providing the complete file to respondent and provided him information regarding the claims, the status of the case, the case schedule, and the main issues.
17. One of the witnesses was scheduled to be deposed on May 30, 2012. Respondent failed to attend the deposition and failed to contact counsel to reschedule it.
18. Expert witness disclosures were due on May 31, 2012. Respondent failed to request an extension of the deadline and failed to contact Reed's former counsel regarding the expert they had already retained for the case.
19. A phone conference with the Magistrate was scheduled on June 13, 2012. Respondent failed to participate in the conference despite knowing the date, time, and the contact information for the conference.
20. Respondent failed to attend the depositions of either the plaintiffs' or defendants' experts, or request to reschedule any of the depositions.

21. The discovery deadline in the case was extended until late September because the other plaintiffs in the matter were nearing a settlement with Franklin County. Respondent failed to participate in the settlement negotiations.
22. After discovery closed, the defendants filed a motion for summary judgment. Respondent did not respond to the motion.
23. On November 10, 2012, the court issued an order for Reed to show cause regarding why a response had not been filed and why the motion should not be decided without opposition.
24. On November 14, 2012, respondent filed a request to extend the response deadline to November 28, 2012.
25. The court granted an extension to November 23, 2012.
26. On November 23, 2012, respondent filed a response to the defendants' motion for summary judgment. Respondent failed to include any affidavits or additional proof in support of his brief in opposition.
27. On January 2, 2013, the court granted summary judgment in favor of the defendants.

THE SHIRE MATTER

28. Shukri Shire's application for a green card was denied and her removal from the country was scheduled for October 17, 2013.
29. On September 30, 2013, Shire met with respondent. During the initial consultation, respondent told Shire that he was "90% sure he could stop the deportation."
30. Respondent quoted a fee of \$100 for the consultation and \$5,000 for the representation. \$1,500 was due immediately and another \$1,000 was due by October 17, 2013.
31. Shire paid respondent \$1,600 following the consultation.

32. After the consultation, Shire called respondent and visited his office in order to see what documents were needed. Respondent was not present when Shire visited his office, but she left a message with respondent's office staff. An employee in respondent's office instructed Shire to check back in a week.
33. Thereafter, Shire called respondent's cell phone several times. Respondent did not answer and his voicemail was full.
34. After consulting with other lawyers, Shire returned to respondent's office to demand a refund. Respondent did not respond to Shire's message and has not issued a refund.

THE SHAIKH MATTER

35. In November 2012, Tario Shaikh retained respondent to file for an employment-based green card.
36. Shaikh's employer paid respondent a retainer fee of \$10,000.
37. On May 13, 2013, respondent filed Shaikh's application.
38. In August 2013, Shaikh began having difficulty communicating with respondent. Respondent did not respond to Shaikh's emails and cell phone calls. Respondent's voicemail was always full.
39. Shaikh scheduled two telephone conferences with respondent through his office. Respondent failed to appear for either of these conferences.
40. In October 2013, Shaikh retained a new attorney and requested that respondent return his file. Respondent failed to respond to Shaikh's request.
41. Due to respondent's errors in completing the application, Shaikh's new attorney was forced to withdraw Shaikh's previous green card application.

42. Shaikh was forced to restart the process, which delayed his immigration case by one year.

THE GHAFRI MATTER

43. On August 13, 2013, Laura Ghafri contacted respondent for help with her brother's immigration case. Ghafri's brother had a criminal conviction and wanted to reenter the United States.

44. Respondent forwarded a fee agreement to her, which stated, "Your brother's case can be rectified but it will take some work. I believe the first thing would be filing for a records request and getting a hold of his immigration file."

45. On September 13, 2013, Ghafri completed the required forms to retain and pay respondent.

46. On September 16, 2013, Ghafri paid respondent \$3,600.

47. Following the payment, Ghafri spoke with respondent over the phone. Respondent stated that the first step was to get the relevant transcripts relating to her brother's conviction and that he would call her back once he obtained them.

48. On October 28, 2013, after not having heard from respondent, Ghafri contacted the Allen County Superior Court and inquired if anyone had requested transcripts from her brother's case. The clerk indicated that no requests had been made.

49. Thereafter, Ghafri left a message for respondent. Respondent's secretary returned the call and scheduled a telephone conference for November 18, 2013.

50. Respondent failed to appear for the November 18th conference.

51. A second telephone conference was scheduled for November 22nd; however, respondent again failed to appear.

52. A third telephone conference was scheduled for December 6th. Again, respondent failed to appear.
53. On January 8, 2014, Ghafri sent respondent a certified letter requesting a refund. Respondent failed to respond and did not refund any portion of her fee.

THE MATAMBO MATTER

54. On March 18, 2013, Wendy Matambo retained respondent to help her work toward legalization and to obtain the records from Matambo's previous reinstatement petitions. She paid respondent \$1,500.
55. After being retained, respondent never communicated with Matambo again. As a result, Matambo attempted to contact respondent in order to get a refund of her fee; however, respondent failed to respond.
56. When Matambo was not able to resolve her dispute with respondent, she filed for fee arbitration through the Columbus Bar Association ("CBA").
57. On January 12, 2014, CBA sent respondent an agreement to arbitrate the dispute and explained his duty to cooperate. Respondent was required to respond within 14 days; however, respondent did respond to CBA.
58. On February 14, 2014, CBA sent respondent a second notice regarding the fee arbitration and again explained his duty to cooperate. Respondent failed to respond.
59. In June 2014, respondent dropped off Matambo's client file at the Office of Disciplinary Counsel.
60. A review of the file revealed that respondent had done no work on Matambo's file beyond filing a Notice of Appearance and a Freedom of Information Act Request.

THE ALJAZAWI MATTER

61. In December 2013, Said Aljazawi retained respondent to assist him in applying for citizenship. Aljazawi paid \$4,500 toward his legal fees.
62. Soon after retaining respondent, respondent's paralegal informed Aljazawi that he was not eligible to apply for citizenship because he did not meet the residency requirements.
63. Between February 18, 2014 and March 3, 2014, Aljazawi emailed respondent three times requesting a refund of his fee. Respondent failed to respond.
64. To date, respondent has not returned Aljazawi's \$4,500.

THE SAENZ MATTER

65. In September 2010, Amy Saenz and her husband approached respondent to assist them in applying for citizenship for her husband.
66. Respondent told them that he would charge \$6,000 for the representation.
67. In July 2011, Saenz began a payment plan with respondent, paying him \$400 the first month, followed by \$100 per month.
68. After paying respondent \$2,500 and not seeing any progress, Saenz googled respondent's name to find his contact information. Through the Google search, she learned that respondent had been indicted.
69. Saenz called respondent demanding a refund. Respondent promised that he would send her a refund and her file.
70. Respondent failed to refund her money and to return her file.
71. In June 2014, respondent dropped Saenz's file off at the Office of Disciplinary Counsel. A review of the file shows that respondent took no action on Saenz's behalf.

THE PEREZ MATTER

72. Ilda Altagarcia Ulloa Perez retained respondent in November 2009 to apply for Temporary Protected Status. She paid respondent \$1,950 in advance fees.
73. In order to qualify for Temporary Protected Status, Perez needed to have maintained continuous presence in the United States since January 1999.
74. In her consultation with respondent, Perez informed respondent that she had only been in the United States since 2001.
75. Respondent accepted the representation and applied for Temporary Protected Status on Perez's behalf, knowing that she did not qualify for that status.
76. Respondent falsely represented in his filing that he was submitting the required evidence.

THE ALVAREZ MATTER

77. On November 1, 2013, Sara Alvarez retained respondent to file a marriage-based petition and a provisional waiver on her behalf. Alvarez agreed to pay \$3,500 in legal fees.
78. After paying \$1,050 of the fee, Alvarez attempted to contact respondent throughout November in order to schedule an appointment; however, she was unable to reach respondent, despite repeated attempts to contact him.
79. Subsequently, Alvarez filed for fee arbitration with the Columbus Bar Association ("CBA").
80. On June 13, 2014, CBA sent respondent an agreement to arbitrate the dispute and explained his duty to cooperate. Respondent was required to respond within 14 days. Respondent failed to respond to CBA.
81. On July 1, 2014, CBA sent respondent a second notice regarding the fee arbitration and again explained his duty to cooperate. Respondent did not respond.

82. Respondent's conduct in Count One violates Gov. Bar Rule V(4)(G) in the Matambo and Alvarez matters and Ohio Rules of Professional Conduct Rules: 1.1 [A lawyer shall provide competent representation to a client] in the Reed, Shire, Shaikh, Ghafri, Saenz, and Perez matters; 1.16(e) [A lawyer who withdraws from employment shall refund promptly any part of the fee paid in advance that has not been earned] in the Baptiste, Shire, Shaikh, Ghafri, Aljazawi, and Saenz matters; 1.3 [A lawyer shall act with reasonable diligence and promptness in representation a client] in the Reed, Shire, Shaikh, Ghafri, and Saenz matters; 1.4(a)(4) [A lawyer shall comply as soon as practicable with reasonable requests for information from the client] in the Baptiste, Shire, Shaikh, Ghafri, Saenz, and Alvarez matters; Rule 3.1 [A lawyers shall not bring a proceeding unless there is a basis in law and fact for doing so that is not frivolous] in the Perez matter; Rule 8.4(c) [A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation] in the Shire and Perez matters; and respondent's conduct in all of the above matters is sufficiently egregious to constitute a violation of 8.4(h) [A lawyer shall not engage in any other conduct that adversely reflects on the lawyer's fitness to practice law].

COUNT TWO

FAILURE TO COOPERATE

83. On November 18, 2013, the Office of Disciplinary Counsel sent respondent Letters of Inquiry in the Shire and Reed matters via certified mail. The certified letters were signed for on November 20, 2013.
84. On December 2, 2013, respondent requested a 30-day extension to respond, which was granted.

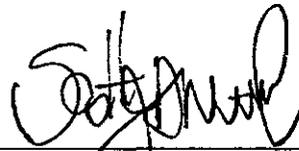
85. On January 2, 2014, a Letter of Inquiry regarding the Shaikh matter was sent to respondent via certified mail.
86. On January 7, 2014, respondent requested an additional extension, stating that he was undergoing medical treatment, records of which he would forward to the Office of Disciplinary Counsel. Respondent never provided any records.
87. On January 8, 2014, second Letters of Inquiry in the Shire and Reed matters were sent to respondent via certified mail. The letters were signed for by his staff member, Melissa Santiago.
88. On January 9, 2014, respondent made a "final request for an extension," requesting to have until January 31, 2014 to respond. Respondent did not respond.
89. On January 23, 2014, a Letter of Inquiry was sent to respondent via certified mail regarding an overdraft of his IOLTA.
90. On February 13, 2014, an investigator with the Office of Disciplinary Counsel hand delivered to respondent Letters of Inquiry in the Shire, Shaikh, Reed, and IOLTA matters.
91. Respondent informed the investigator that his brother, Ammar Alo, was representing him in the pending matters.
92. On March 3, 2014, Ammar Alo entered an appearance on behalf of the respondent.
93. Respondent's counsel requested to have until April 11, 2014 to respond.
94. On or about March 3, 2014, Letters of Inquiry in the Shire, Reed, Shaikh, and IOLTA matters were sent to respondent's counsel via certified mail.
95. On or about March 7, 2014, Letters of Inquiry in the Matambo and Ghafri matters were sent to respondent's counsel via certified mail.

96. On March 27, 2014, a Letter of Inquiry in the Aljazawi matter was sent to respondent's counsel via certified mail.
97. Respondent did not respond to the Letters of Inquiry.
98. On April 23, 2014, respondent faxed a letter to the Office of Disciplinary Counsel and requested to schedule a meeting.
99. On April 24, 2014, an investigator with the Office of Disciplinary Counsel personally served respondent's counsel, Ammar Alo, with a subpoena for respondent's deposition, which was scheduled for June 19, 2014.
100. After receiving the fax from respondent on April 23rd, the Office of Disciplinary Counsel contacted Ammar Alo regarding how to proceed. Ammar Alo stated that he did not know that respondent sent the fax and that he would no longer be representing respondent.
101. Respondent was then contacted directly and a meeting was scheduled for May 13, 2014 at the Office of Disciplinary Counsel.
102. Respondent appeared at the Office of Disciplinary Counsel on May 13th and met with Assistant Disciplinary Counsel Donald Scheetz and Investigator Don Holtz. Respondent expressed a desire to cooperate and stated that he would have his responses submitted before the date of his deposition on June 19th.
103. Additionally, respondent falsely stated that "99%" of his clients were aware of his legal situation and that he had a plan in place, involving his brother and a second attorney, for dealing with his client files if he were to be suspended from the practice of law.
104. During the meeting, Investigator Don Holtz personally served respondent with a subpoena requiring his attendance at the deposition scheduled for June 19th.
105. Investigator Don Holtz also hand delivered a Letter of Inquiry in the Saenz matter.

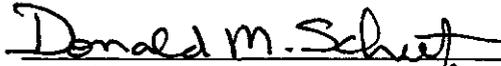
106. On June 6, 2014, respondent sent a letter to the Office of Disciplinary stating that he would submit his responses on June 10, 2014. Respondent hand delivered several client files to the Office of Disciplinary Counsel; however, he did not respond to any of the Letters of Inquiry.
107. On June 6, 2014, the Office of Disciplinary Counsel sent respondent a Letter of Inquiry in the Perez matter via certified mail. The certified letter was signed for on June 9, 2014. Respondent did not respond.
108. On June 16, 2014, respondent requested to reschedule the deposition scheduled for June 19th. In support for his request, he stated both that he had a hearing in Cleveland on the 18th and that his brother, Ammar Alo, was out of the country. Because the deposition was scheduled for the 19th and because his brother had previously withdrawn, respondent's request to reschedule was denied.
109. Respondent failed to appear for the deposition.
110. On June 25, 2014, the Office of Disciplinary Counsel sent respondent a second Letter of Inquiry in the Perez matter via certified mail. The certified letter was signed for on June 26, 2014. Respondent did not respond.
111. On July 15, 2014, the Office of Disciplinary Counsel sent respondent a Letter of Inquiry in the Alvarez matter via certified mail. The certified letter was signed for by the property manager for respondent's office space. Respondent did not respond.
112. Respondent's conduct violates Rule 8.1(b) of the Ohio Rules of Professional Conduct [In connection with a disciplinary matter, a lawyer shall not knowingly fail to respond to a demand for information from a disciplinary authority]; and Rule 8.4(c) [A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation].

CONCLUSION

Wherefore, pursuant to Gov. Bar R. V, the Code of Professional Responsibility and 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

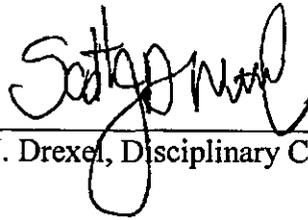


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CERTIFICATE

The undersigned, Scott J. Drexel, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that 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: September 19, 2014



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.