

VIRGINIA: BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF MARK HOWARD ALLENBAUGH
VSB DOCKET NO. 17-000-107650

OPINION AND ORDER

This matter came to be heard on December 9, 2016 before a duly-convened panel of the Virginia State Bar Disciplinary Board (“Board”) at the Virginia Workers’ Compensation Commission, Courtroom A. The Panel consisted of Esther J. Windmueller, 1st Vice Chair, Presiding; R. Lucas Hobbs; Richard J. Colten; Tony H. Pham; and Anderson Wade Douthat, IV, lay member.

The Virginia State Bar (“Bar”) was represented by Laura A. Booberg, Assistant Bar Counsel. Respondent Mark Howard Allenbaugh was not present. At the request of Ms. Windmueller, the Clerk called the Respondent’s name in the hallway outside Courtroom A three times, and thereafter reported to the Board that there was no response. Beverly Lukowsky, court reporter, Chandler and Halasz, Inc., P.O. Box 9349, Richmond, Virginia 23227, (804) 730-1222, after having been duly sworn, reported the hearing and transcribed the proceeding.

Respondent made an untimely request for a continuance, which was denied.

The Chair polled members of the Panel regarding any personal or financial interest or conflict they might have which would preclude them from fairly hearing the matter before them. Each member, including the Chair, responded in the negative. Two exhibits, marked as Board 1 and Bar 1, were admitted into evidence.

FINDINGS OF FACT

By clear and convincing evidence, the Board finds the following facts:

1. Respondent was licensed to practice law in the Commonwealth of Virginia on October 16, 2003.
2. Respondent was also licensed to practice law in the State of Maryland.
3. By Order entered October 7, 2016, the Court of Appeals for the State of Maryland disbarred Respondent from practicing law in the State of Maryland, effective that day.
4. The Court of Appeals for the State of Maryland thereafter, on October 27, 2016, issued a written opinion setting forth the bases for its disbarment of Respondent in that state.

DISPOSITION

Pursuant to the Rules of Court, Part Six, Section IV, Paragraph 13-24, Respondent bears the burden of showing cause, if any can be, why the same discipline imposed in the State of Maryland should not be imposed by the Board.

Upon due deliberation, the Board finds that Respondent has not met his burden, and it is hereby **ORDERED** that Respondent's license to practice law in Virginia is revoked, effective December 9, 2016, and it is further

ORDERED that the Clerk shall impose costs against the Respondent; and it is further

ORDERED that an attested copy of this Order be mailed by certified mail, return receipt requested, to Respondent, Mark Howard Allenbaugh, at his Virginia State Bar address of record, 30432 Euclid Avenue, Suite 101, Cleveland, OH 44092, and to 19525 Woodlands Lane, Huntington Beach, CA 92648, and to 3174 Lake Road,

Conneaut, OH 44030; and hand-delivered to Laura A. Booberg, Assistant Bar Counsel,
Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, VA 23219-0026.

ENTERED THIS 9th DAY OF DECEMBER, 2016

VIRGINIA STATE BAR DISCIPLINARY BOARD

A handwritten signature in black ink, appearing to read 'E. Windmueller', with a long horizontal flourish extending to the right.

By: _____
Esther J. Windmueller, 1st Vice Chair, Presiding