

IN THE SUPREME COURT OF OHIO

In re:

Complaint against

Case No. 2022-025

Steven Jerome Moody

Respondent

Disciplinary Counsel

Relator

CERTIFICATION OF DEFAULT

Steven Jerome Moody (0074731)
1816 Corning Avenue
Cleveland, OH 44109
(216) 280-3293
Stevenmoody1@yahoo.com

Disciplinary Counsel
65 East State Street
Suite 1510
Columbus, OH 43215-4215

Richard A. Dove (0020256)
Ohio Board of Professional Conduct
65 South Front Street, 5th Floor
Columbus, Ohio 43215
(614) 387-9370
rick.dove@bpc.ohio.gov

Donald M. Scheetz (0082422)
65 E. State St.
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IN THE SUPREME COURT OF OHIO

In re:

Complaint against

Steven Jerome Moody

Respondent

Disciplinary Counsel

Relator

CERTIFICATION OF DEFAULT

Gov. Bar R. V, Section 14

Pursuant to Rule V, Section 14, of the Supreme Court Rules for the Government of the Bar of Ohio, I hereby certify that the respondent in the above-captioned matter has failed to file an answer to the formal complaint certified to the Ohio Board of Professional Conduct on June 28, 2022.

Attached to this certification is an affidavit setting forth the attempts to serve the complaint on the respondent and copies of documents referenced in the affidavit.

Richard A. Dove

**Director
Board of Professional Conduct**

**STATE OF OHIO
COUNTY OF FRANKLIN**

AFFIDAVIT

I, Richard A. Dove, having been duly sworn according to the laws of Ohio, hereby depose and say:

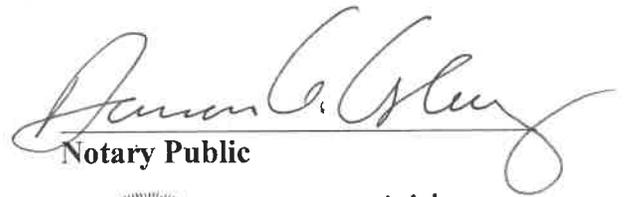
1. I am the Director of the Board of Professional Conduct of the Supreme Court of Ohio ("Board"). Pursuant to Rule V of the Supreme Court Rules for the Government of the Bar of Ohio, I am responsible for serving certified disciplinary complaints on the parties and maintaining the records of cases certified to the Board.
2. On June 28, 2022 a formal complaint was certified to the Board in the case of *Disciplinary Counsel v. Steven Jerome Moody*, Case No.2022-025. Pursuant to Gov. Bar R. V, Section 11, a notice and copy of the complaint were sent via email to the respondent at stevenmoody1@yahoo.com, the electronic service address maintained by the Supreme Court Office of Attorney Services. The respondent did not acknowledge receipt of the service email or otherwise file an answer to the complaint.
3. On July 18, 2022, the Clerk of the Supreme Court of Ohio accepted service on behalf of the respondent pursuant to Gov. Bar R. V, Section 27(B).
4. On July 19, 2022, a notice of intent to certify the respondent's default was sent via email to the respondent at the address listed in ¶2 of this affidavit.
5. As of the date of this affidavit, the respondent has not filed an answer to the certified complaint or otherwise responded to the certification or notice of intent.
6. Attached to this affidavit are true and accurate copies of the following:
 - a. The formal complaint certified to the Board on June 28, 2022 (Attachment A);
 - b. The certification of service received from the Clerk of the Supreme Court of Ohio on July 18, 2022 (Attachment B);
 - c. The notice of intent sent to the respondent on July 19, 2022 (Attachment C).

FURTHER AFFIANT SAYETH NAUGHT.



Richard A. Dove (0020256)
Director
Board of Professional Conduct

Sworn to before me and subscribed in my presence this 3rd day of August, 2022.


Notary Public



Damon A. Asbury
Attorney At Law
Notary Public, State of Ohio
My Commission Has No Expiration
Sec.147.03 R.C.



Ohio Board of Professional Conduct

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VICE-CHAIR

RICHARD A. DOVE
DIRECTOR
D. ALLAN ASBURY
SENIOR COUNSEL
KRISTI R. MCANAU
COUNSEL

TO: Relator, Respondent, and Counsel of Record

FROM: Richard A. Dove 

DATE: June 28, 2022

SUBJECT: *Disciplinary Counsel v. Steven Jerome Moody*, Case No. 2022-025

On this date, a formal complaint was certified to the Board of Professional Conduct. Enclosed is the notice of certification of the complaint.

Enclosure

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

In re:

Complaint against

Case No. 2022-025

**Steven Jerome Moody (0074731)
1816 Corning Avenue
Cleveland, OH 44109**

**NOTICE OF FILING AND
CERTIFICATION OF COMPLAINT**

RESPONDENT

**Disciplinary Counsel
65 East State Street
Suite 1510
Columbus, OH 43215-4215**

FILED

JUN 28 2022

BOARD OF PROFESSIONAL CONDUCT

RELATOR

Respondent is hereby notified that the director of the Board of Professional Conduct, having received a formal complaint from Relator that alleges misconduct on the part of Respondent and the complaint appearing to satisfy the applicable requirements of Gov. Bar R. V, assigned the complaint to a duly constituted probable cause panel of the Board. Upon review of the formal complaint and summary of investigation provided by Relator, the panel determined that probable cause exists for the filing of a formal complaint and certified the complaint to the Board of Professional Conduct.

Respondent will take notice that:

1. Attached is a copy of the certified complaint filed against you by Relator and certified by a probable cause panel to the Board of Professional Conduct.
2. You are required to e-File your written answer to this complaint with the Board of Professional Conduct on or before **July 18, 2022**. A copy of the answer must be served upon counsel of record named in the complaint.

FAILURE TO FILE A TIMELY ANSWER TO THIS COMPLAINT MAY RESULT IN YOUR IMMEDIATE SUSPENSION FROM THE PRACTICE OF LAW BY THE SUPREME COURT OF OHIO PURSUANT TO GOV. BAR R. V, SECTION 14.

Richard A. Dove

Director

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

Disciplinary Counsel
65 East State Street, Suite 1510
Columbus, Ohio 43215-4215

Relator,

v.

Case No. 2022-025

Steven Jerome Moody, Esq.
Attorney Registration No. 0074731
1816 Corning Avenue
Cleveland, Ohio 44109

FILED

JUN 28 2022

BOARD OF PROFESSIONAL CONDUCT

Respondent.

Complaint and Certificate

Relator alleges that Steven Moody, an attorney admitted to the practice of law in Ohio, has committed the following misconduct:

1. Respondent was admitted to the practice of law in Ohio on May 20, 2002.
2. Respondent is subject to the Ohio Rules of Professional Conduct and the Supreme Court Rules for the Government of the Bar of Ohio.
3. On October 11, 2018, in *Cleveland Metro. Bar Assn. v. Moody*, 154 Ohio St.3d 253, 2018-Ohio-4071, 113 N.E.3d 520, the court indefinitely suspended respondent from the practice of law. Respondent remains under suspension.
4. On August 2, 2019, Michael Saraniti, the owner of Chagrin Medical Center, filed a grievance against respondent, alleging that respondent failed to pay the medical bills of 31 clients despite having settled their cases.

5. On October 15, 2019, relator sent respondent a Letter of Inquiry (“LOI”) to his residence via certified mail. His response was due October 29, 2019.
6. Respondent failed to respond.
7. On November 4, 2019, relator called respondent and left him a voicemail regarding his overdue response. Respondent failed to return relator’s call.
8. On November 6, 2019, relator’s LOI was returned unclaimed.
9. On November 20, 2019, relator’s investigator personally served respondent with a subpoena duces tecum requiring respondent to appear for a deposition on December 17, 2019.
10. The subpoena required respondent to produce:

All settlement records relating to the attached list of clients, including, but not limited to, fee agreements, protection letters, settlement agreements, closing statements, IOLTA statements for each month in which the account contained settlements funds, [his] general ledger for the same months and client ledgers (Prof.Cond.R. 1.15(a)(3))/Prof.Cond.R. 1.15(a)(2)), and all communications to the clients or third parties regarding the disposition of settlement funds.
11. On December 11, 2019, respondent called relator and requested that relator email the LOI to him, claiming that he had not received it.
12. On December 11, 2019, relator emailed a copy of the LOI to respondent at stevenmoody1@yahoo.com, and respondent acknowledged receipt.
13. On December 13, 2019, respondent emailed relator, requesting to reschedule the deposition so that he could review his files and bank records.
14. Relator agreed to delay the deposition and informed respondent that a letter would be forthcoming.

15. On December 16, 2019, relator emailed a letter to respondent at stevenmoody1@yahoo.com in which relator requested relevant fee agreements, client ledgers, his general ledgers, all bank records in his possession, closing statements, and copies of client files. His response was required to be postmarked no later than January 6, 2020.
16. Respondent failed to respond.
17. On January 21, 2020, relator emailed respondent at stevenmoody1@yahoo.com, seeking his response.
18. Respondent failed to respond.
19. On January 27, 2021, relator's investigator served respondent with a subpoena duces tecum for his deposition, which was scheduled for February 16, 2021. The investigator knocked on the door at respondent's residence, but respondent did not answer. The investigator then taped the subpoena to the front door, took a picture of it, and called respondent. When respondent did not answer, the investigator left a voicemail asking respondent to call him back. Respondent did not return the call.
20. The cover letter accompanying the subpoena asked respondent to contact relator's office upon receipt of the letter. Respondent did not contact relator's office.
21. On February 16, 2021, relator emailed respondent at stevenmoody1@yahoo.com, canceling the deposition due to inclement weather.
22. Relator rescheduled the deposition for March 16, 2021.
23. On March 1, 2021, relator's investigator served respondent with a subpoena duces tecum for his deposition scheduled for March 16, 2021. The investigator observed a motor vehicle parked in front of respondent's residence. The motor vehicle was registered to

respondent. The investigator rang the doorbell and knocked at respondent's residence, but respondent did not answer. The investigator then taped the subpoena to the front door, took a picture of it, and called respondent. When respondent did not answer, the investigator left a voicemail asking respondent to return the call. Respondent did not return the call.

24. The cover letter accompanying the subpoena asked respondent to contact relator's office upon receipt of the letter. Respondent did not contact relator's office.
25. Respondent failed to appear for the deposition.
26. During the investigation, relator's investigator attempted to contact numerous clients. The investigator located some clients. However, the investigator was unable to locate other clients, and others failed to respond to his inquiries. The clients that cooperated with the investigation did not retain any records or documents related to their cases.
27. Upon information and belief, respondent possesses records necessary for relator to complete its investigation.
28. Respondent's failure to cooperate has made it impossible for relator to complete its investigation.
29. On April 18, 2022, relator's investigator served respondent with a subpoena duces tecum for his deposition, which was scheduled for May 2, 2022. The investigator knocked on the door at respondent's residence, but respondent did not answer. The investigator then taped the subpoena to the front door, took two pictures of it, and called respondent. When respondent did not answer, the investigator left a voicemail advising respondent that the investigator had taped a subpoena to respondent's front door.

30. The cover letter accompanying the subpoena asked respondent to contact relator's office upon receipt of the letter. Respondent did not contact relator's office.
31. Respondent failed to appear for his deposition.
32. Respondent's conduct, as alleged above, violates Prof.Cond.R. 8.1(b) [in connection with a disciplinary matter, a lawyer shall not fail to disclose a material fact or *knowingly* fail to respond in response to a demand for information from a disciplinary authority].

Conclusion

Relator requests that respondent be found in violation of the Ohio Rules of Professional Conduct and be sanctioned accordingly.

Respectfully submitted,

/s Joseph M. Caligiuri
Joseph M. Caligiuri (0074786)
Disciplinary Counsel
Relator

/s Donald M. Scheetz
Donald M. Scheetz (0082422)
Assistant Disciplinary Counsel
Office of Disciplinary Counsel
65 East State Street, Suite 1510
Columbus, Ohio 43215-4215
Telephone: (614) 387-9700
Donald.Scheetz@sc.ohio.gov
Counsel for Relator

Certificate

The undersigned, Joseph M. Caligiuri, Disciplinary Counsel, hereby certifies that Donald Scheetz, Senior Assistant Disciplinary Counsel, is authorized to represent relator in the action and has accepted the responsibility of prosecuting the complaint to its conclusion.

Dated: June 23, 2022

/s Joseph M. Caligiuri
Joseph M. Caligiuri (0074786)
Disciplinary Counsel

The Supreme Court of Ohio

CERTIFICATION

I, Sandra H. Grosko, certify that I was served on the 18th day of July, 2022, with a copy of the Notice to Respondent of Filing of Complaint and a copy of the Complaint and Certificate issued in the case of Disciplinary Counsel v. Steven Jerome Moody, (Case No. 2022-025).

I received true and attested copies of the documents set forth above from the Director of the Board of Professional Conduct in conformity with Rule V, Section 27(B) of the Rules for the Government of the Bar.


Sandra H. Grosko
Clerk of Court



Ohio Board of Professional Conduct

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SENIOR COUNSEL
KRISTI R. MCANAU
COUNSEL

July 19, 2022

Steven Jerome Moody
1816 Corning Avenue
Cleveland, OH 44109

via email only to stevenmoody1@yahoo.com

Re: *Disciplinary Counsel v. Steven Jerome Moody*, Case No. 2022-025

Dear Mr. Moody:

On June 28, 2022, the Board of Professional Conduct certified a formal complaint naming you as the respondent in the above-captioned disciplinary matter. A copy of the enclosed complaint was sent to you via email at stevenmoody1@yahoo.com, and you neither acknowledged receipt of the email nor filed a timely answer. Pursuant to Gov. Bar R. V, Section 27(B), the complaint was served on the Clerk of the Supreme Court, and the Clerk accepted service on July 18, 2022. As of the date of this letter, the Board has not received your answer to the formal complaint or a motion to extend the time for filing an answer.

Pursuant to Gov. Bar R. V, Section 14, you are hereby notified that the Board will certify your default to the Supreme Court fourteen days from the date of this letter. To avoid certification of default, you must file an answer to the formal complaint with the Board prior to the expiration of the fourteen-day period. No extension of time to file an answer is authorized by the rule.

Please note that the certification of default may result in your immediate suspension from the practice law by the Supreme Court of Ohio.

Sincerely,

Richard A. Dove

Enclosure

cc: Relator's counsel (via email)