

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

In re:

Complaint against

**Gregory Joseph Moore, Esq.
P.O. Box 670047
Northfield, Ohio 44067**

Attorney Registration No. (0076156)

Respondent,

**Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411**

Relator.

No. 17-057

COMPLAINT AND CERTIFICATE

**(Rule V of the Supreme Court Rules for
the Government of the Bar of Ohio.)**

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

1. Respondent, Gregory Joseph Moore, was admitted to the practice of law in the state of Ohio on September 5, 2003. Respondent is subject to the Rules of Professional Conduct and the Rules for the Government of the Bar.
2. On March 10, 2016, respondent was charged by information in the Cuyahoga County Court of Common Pleas under:
 - R.C. 2921.12(A)(2): Tampering with Evidence – F3 (1 Count);
 - R.C. 2921.31(A): Obstructing Official Business – M2 (1 Count);
 - R.C. 2921.13(A)(3): Falsification – M1 (1 Count);
 - R.C. 2913.05(A): Telecommunications Fraud – F5 (1 Count);
 - R.C. 2913.31(A)(2): Forgery – F5 (2 Counts);

- R.C. 2923.24(A): Possessing Criminal Tools – F5 (1 Count);
- R.C. 2917.31(A)(1): Inducing Panic – F5 (3 Counts);
- R.C. 2917.31(A)(1): Inducing Panic – F4 (3 Counts);
- R.C. 2903.23(A)(1)(c): Terroristic Threats – F3 (3 Counts)

State of Ohio v. Gregory J. Moore, Cuyahoga Court of Common Pleas, Case No. CR-16-603895-A.

3. On May 5, 2017, respondent pled guilty to Falsification, a misdemeanor of the first degree; Inducing Panic, a felony of the fifth degree; and Inducing Panic, a felony of the fourth degree. The remaining charges were dismissed as part of a plea agreement.
4. On May 31, 2017, respondent was sentenced to 180 days in jail; 36 months of community control; and ordered to complete 150 hours of community service.
5. On June 14, 2017, the Supreme Court of Ohio suspended respondent on an interim basis for his felony conviction. *In re: Gregory Moore*, Supreme Court of Ohio, Case No. 2017-0784.

UNDERLYING FACTS

6. The facts underlying respondent's criminal conduct are as follows:

Lake County Bomb Threat

7. In 2012, respondent had assumed a large docket of domestic relations cases following the law license suspension of his former employers, Joseph and Vincent Stafford.
8. Respondent was scheduled to try two cases on May 30, 2012 – one in the Lake County Domestic Relations Court, *Brian Jackson v. Robin Jackson*, case number 07DR00384, and one in the Cuyahoga County Domestic Relations Court, *Lydia Weiss v. Peter Weiss*, case number DR-10-332434.

9. On April 11, 2012, the court rescheduled the *Weiss* case for hearing on June 8, 2012.
10. On April 12, 2012, respondent requested a continuance of the *Jackson* trial stating that he was involved in trial in the *Weiss* case, and that *Weiss* was scheduled prior to *Jackson*. Respondent stated that his associate, Anne Fantelli, was also unavailable to handle the *Jackson* case because she was scheduled for trial in the Cuyahoga County Domestic Relations Court on *Reid Wagner v. Ann Wagner*, case number DR-04-300245. The court denied his request on May 8, 2012.
11. On May 15, 2012, the court rescheduled the *Wagner* case for trial on July 31, 2012.
12. Because the court rescheduled the *Weiss* and *Wagner* cases, respondent only had the *Jackson* case set for trial on May 30, 2012 in Lake County.
13. On May 30, 2012, at 8:31 a.m., respondent called Lake County Court of Common Pleas Judge Eugene Lucci's office and stated, "There is a bomb set to go off at 11:00 a.m. at the courthouse." Four minutes later, respondent called a member of Lake County Domestic Relations Court Judge Colleen Falkowski's staff and stated that a bomb was set to go off at 11:00 a.m. at the courthouse.
14. After the bomb threat, the Lake County Court of Common Pleas evacuated the building for approximately 45 minutes while investigators swept the building and determined that no threat existed.
15. Detectives from Lake County began investigating the source of the calls; however, at that time, they were unaware of respondent's involvement.

Cuyahoga County Bomb Threat

16. Respondent was scheduled to try three cases on July 10, 2012 – two in the Cuyahoga County Domestic Relations Court, and one in the Medina County Domestic Relations

Court.

17. In Cuyahoga County, respondent was scheduled for trial on *Audrie Kinas v. Steven Kinas*, case number DR-10-334547, and *Barbara Morgan v. Melvin Morgan*, case number DR-10-331959. In Medina County, respondent was scheduled for trial on *George Wiswesser v. Cynthia Wiswesser*, case number 11DR0704.
18. On July 6, 2012, respondent requested a continuance of the *Kinas* trial stating that he was involved in an on-going trial in the *Morgan* case, and that he was also scheduled to appear in Medina County on *Wiswesser*. The court denied his request.
19. On July 6, 2012, respondent also requested a continuance of the *Morgan* trial stating that he fell ill on July 4, 2012, was out of the office on July 5, 2012, and he was still ill. The court granted the continuance and set the case for July 9, 2012. The court stated that the case would continue day-to-day until the trial was completed.
20. On July 9, 2012, respondent requested a continuance of the *Morgan* trial stating that he was scheduled to be in trial on the *Kinas* case. Also on July 9, 2012, opposing counsel filed a motion to continue the trial dates of July 10-11, 2012 on the *Morgan* case. The court ultimately granted the continuance requests and rescheduled the trial for November 6, 2012, but these requests were not granted until after court began on July 10, 2012.
21. On July 9, 2012, respondent requested a continuance of the *Wiswesser* case stating that he was in trial on the *Morgan* case. The court granted his request.
22. Because the Medina County Domestic Relations Court continued the *Wiswesser* case, respondent had the *Kinas* and *Morgan* cases scheduled in Cuyahoga County.
23. On July 10, 2012, at 11:04 a.m., respondent called a clerk in the Cuyahoga County

Domestic Relations Court central scheduling office and stated that a bomb was going to go off in the courthouse at 11:30 a.m.

24. At 11:10 a.m., respondent placed a second call to the court's central scheduling office and stated that a bomb was going to explode at the courthouse at 11:30 a.m. Both clerks described the caller as having a deeper voice, cool, calm and collected, and thought that the call had been recorded because of the respondent's cool demeanor and the lack of any background noise.
25. At 11:12 a.m., respondent placed a third call to the scheduler for Domestic Relations Court Judge Rosemary Gold, who was presiding over the *Morgan* case. The scheduler stated that the caller claimed that a bomb would go off at the court at 11:30 a.m., and described the caller in the same manner as the other clerks who had received the prior calls.
26. All three calls were unlisted and had no information identifying the caller's number.
27. Because of the bomb threats, the entire Lakeside Courthouse (including the Cuyahoga County Domestic Relations Court, the Eighth District Court of Appeals, the Cuyahoga County Probate Court, the Cuyahoga County Law Library, and all of the other various agencies housed in the courthouse) were forced to evacuate the building. No work could be conducted until investigators were able to sweep the building and determine that no threat existed.
28. Cuyahoga County Sheriff's Detective Paul Soprek was able to trace courthouse phone records to identify the unlisted bomb threat calls, and realized that the calls had come through a Verizon Wireless number that had been blocked by using *67 (a feature which disables caller ID). The Verizon Wireless number used to make the bomb threat

calls was listed as belonging to the law firm of Stafford and Stafford, where respondent worked as an attorney.

29. Using records that he obtained from Verizon Wireless, Detective Soprek determined that all of the bomb threat calls made to Lake and Cuyahoga counties were placed from the same cell phone and that respondent was in possession of that cell phone at the time of the calls.
30. As a result of the aforementioned bomb threats in Lake and Cuyahoga counties, respondent was charged with, and pled guilty to two counts of Inducing Panic, felonies of the fourth and fifth degree (see ¶ 3).

Falsification

31. Respondent represented Aliza Sherman in her pending divorce case, which was set for trial on March 26, 2013. Sherman had originally hired attorney Joseph Stafford to represent her in the divorce, but respondent became her lead attorney when the Supreme Court of Ohio suspended Stafford's law license.
32. On Sunday, March 24, 2013, respondent arranged to have Sherman meet him at his law office at 55 Erieview Plaza at 4:30 p.m., in order to prepare for the upcoming trial.
33. At approximately 5:24 p.m., Sherman was stabbed to death outside of respondent's law office.
34. On March 25, 2013, Cleveland Police Homicide Detectives Kathleen Carlin and Timothy Entenok contacted respondent by telephone and questioned him about the incident.
35. During the interview, and in an attempt to mislead law enforcement, respondent told the detectives that he was in his office at the time of the murder and that he remained there

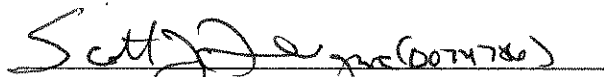
until 9:00 p.m.

36. Keycard access records from the parking garage established that respondent left the office over an hour before the murder, and did not return until over an hour after the murder.
37. As a result of respondent's misrepresentation, he was charged with, and pled guilty to Falsification, a misdemeanor of the first degree.
38. By the foregoing conduct, respondent violated the following provisions of the Rules of Professional Conduct:
 - By engaging in illegal conduct that resulted in his guilty pleas to Falsification and Inducing Panic, respondent violated Prof. Cond. R. 8.4(b) [a lawyer shall not commit an illegal act that reflects adversely on the lawyer's honesty or trustworthiness];
 - By providing false information to the Cleveland Police Department in the course of their investigation of the Sherman murder, respondent violated Prof. Cond. R. 8.4(c) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation], and Prof. Cond. R. 8.4(d) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice];
 - By calling in two bomb threats and causing the evacuation of multiple government facilities, respondent violated Prof. Cond. R. 8.4(d) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice];
 - Respondent's conduct in calling in multiple bomb threats and causing multiple government facilities to be evacuated and searched was so egregious that

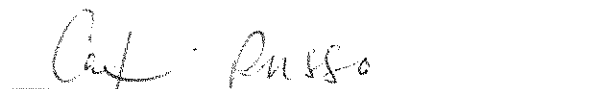
respondent violated Prof. Cond. R. 8.4(h) [a lawyer shall not engage in conduct that adversely reflects on the lawyer's fitness to practice law].

CONCLUSION

Wherefore, pursuant to Gov. Bar R. V, of the 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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Northfield, Ohio 44067

FILED

OCT 27 2017

RECEIVED

Case No. B7-0930

Attorney Reg. No. 0076156

WAIVER OF DETERMINATION
OF PROBABLE CAUSE

Respondent,

(Rule V(11)(B) 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.

Pursuant to the provisions of Rule V(11)(B) of the Supreme Court Rules for the Government of the Bar of Ohio, respondent, **Gregory Joseph Moore** by and through his attorney, **Peter Cahoon**, 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: October 26, 2017

By: 
Peter Cahoon (0007343)
Attorney for Respondent
Gregory Joseph Moore