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165th Year ■ Volume 195

The Daily Post-Athenian

Monday, September 30, 2013 ■ 50 Cents

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Assistant DA guilty of ethics violations

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A local assistant district attorney may face public censure after being found guilty of ethics violations stemming from a murder trial.

Paul Rush, assistant district attorney with the 10th Judicial District, was recently found guilty of asking a question to a witness that he had been ordered by the court not to ask

and for not reporting this incident to the Board of Professional Responsibility (BOPR).

The charges stem from a 2010 murder trial of Michael Younger in Cleveland that led to a mistrial and, ultimately, a dismissal of the case.

According to the BOPR, Rush asked a question about Younger being a drug dealer after he had been told not to by Judge Amy Reedy. Rush argued that a previous question by the defense

attorney had "opened the door" for his question to be allowed, but the BOPR panel did not agree.

Rush also reportedly failed to self-report the violation to the BOPR despite being ordered to do so by Reedy. Rush argued

that he felt he did nothing wrong, so he chose not to report the issue, but the BOPR panel determined that his own strong belief did not release him from the necessity to report the inci-

dent.

The BOPR panel did take into account Rush's relative inexperience at the time — he had been an attorney for just over five years and this was his first capital murder trial — but still levied a punishment on him.

The BOPR panel recommended that Rush should face public censure for the two violations they found him guilty of, but that a third be dismissed.

However, BOPR Chief

Disciplinary Counsel Sandy Garrett said that "this is not a final decision." She noted that it can be appealed if either side decides to do so.

She explained that the public censure would not keep Rush from practicing law, but instead would provide "notice to the public that he engaged in activities that were violations."

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