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DISMISSAL

Case No. 15-61-GA

Wendell N. Davis, Jr., P 27470, Southfield, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #69.

1. Dismissal
2. Effective April 7, 2016

Respondent was charged with failing to provide competent advice and direction to his client regarding a claim filed in a small claims division of the district court, in violation of MRPC 1.1(a) and (b); neglecting a legal matter, and/or abandoning a client, in violation of MRPC 1.1(c); failing to keep his client reasonably informed about the status of her matter, in violation of MRPC 1.4(a); failing to explain the matter to the extent reasonably necessary to permit his client to make informed decisions regarding respondent's representation of her matter, in violation of MRPC 1.4(b); failing to clearly communicate the basis of his attorney fee to his client, preferably in writing, before or within a reasonable time after commencing the representation, in violation of MRPC 1.5(b); failing to maintain a normal client-lawyer relationship, notwithstanding her impairments, in violation of MRPC 1.14(a); sought to withdraw from the representation of a client without proper notice, without a proper basis, and without full disclosure of the facts and circumstances to the court, and otherwise abandoning his client, in violation of MRPC 1.16(b); upon termination of his representation, failing to refund all or part of the attorney fees paid by the client to the extent they were not earned, in violation of MRPC 1.16(d); making a false statement of material fact or failing to correct a false statement of material fact made to the court relative to his client's (1) purported non-payment of attorney's fees; (2) failing to inform the court of the actual amount his client had paid to him; (3) failing to inform the court of their agreement for further payment; (4) falsely stating that his client found it necessary to sever the attorney/client relationship; and (5) falsely implying that his client participated in respondent's request to withdraw, in violation of MRPC 3.3(a)(1); knowingly making a false statement of material fact in connection to a disciplinary matter, in violation of MRPC 8.1(a)(1); failing to disclose a fact necessary to correct a misapprehension known by the lawyer in a disciplinary matter to have arisen in the matter, in violation of MRPC 8.1(a)(2); engaging in conduct which involved dishonesty, fraud, deceit or misrepresentation, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); and, engaging in conduct that was prejudicial to the administration of justice, in violation of MCR 2.117(B)(3)(a) and MRPC 8.4(c). Respondent was also charged with engaging in conduct that violated MRPC 8.4(c) and MCR 9.104(1)-(4).

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The hearing panel found that the Grievance Administrator did not prove the allegations in Formal Complaint 15-61-GA by a preponderance of the evidence and the complaint was dismissed. No costs were assessed against respondent.



Handwritten signature of Mark A. Armitage in cursive script.

Mark A. Armitage

Dated: APR - 7 2016