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NOTICE OF SUSPENSION WITH CONDITIONS
(Pending Appeal)

Case No. 12-17-GA

Notice Issued: December 19, 2012

Mark J. Tyslenko, Jr., P 62987, Mt. Pleasant, Michigan, by the Attorney Discipline Board Tri-Valley Hearing Panel #1.

1. Suspension - 45 Days
2. Effective December 19, 2012

Respondent filed an answer to the formal complaint and appeared at the hearing. As charged in the formal complaint, and established by respondent's admissions, the panel found that respondent retained and converted fees owed to his employer for his own personal use. Specifically, the panel found that respondent failed to notify a third person when funds in which that person has an interest were received, in violation of MRPC 1.15(b)(1); failed to promptly pay or deliver funds that a third person was entitled to receive, in violation of MRPC 1.15(b)(3); failed to hold property of clients separate from his own property, in violation of MRPC 1.15(d); failed to deposit legal fees and expenses paid in advance into a client trust account, in violation of MRPC 1.15(g); engaged in conduct involving dishonesty, fraud, deceit, misrepresentation or violation of a criminal law where such conduct reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that violated the Rules of Professional Conduct, contrary to MRPC 8.4 and MCR 9.104(4); engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure or reproach, in violation of MCR 9.104(2); and engaged in conduct contrary to justice, ethics, honesty or good morals, in violation of MCR 9.104(3).

The panel ordered that respondent's license to practice law in Michigan be suspended for 45 days and that he be subject to conditions relevant to the established misconduct.

The Grievance Administrator filed a petition for review and this matter will be scheduled for hearing before the Attorney Discipline Board.

John F. Van Bolt

Dated: **DEC 19 2012**