MEMBERS WILLIAM P. HAMPTON CHAIRPERSON LORI McALLISTER VICE-CHAIRPERSON

STATE OF MICHIGAN ATTORNEY DISCIPLINE BOARD JOHN F. VAN BOLT **EXECUTIVE DIRECTOR**

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FINAL NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 06-60-GA; 06-73-FA

Notice Issued: April 13, 2007

Richard C. Holst, P 26110, Wyoming, Michigan by the Attorney Discipline Board Kent County Hearing Panel #1.

- 1. Suspension - 60 Days
- Effective December 15, 2006 2.

and

- 3. Automatic Reinstatement
- 4. Effective February 14, 2007

Respondent was found to be in default for his failure to file an answer to the formal complaint, but he did appear at the public hearing. While the panel found that the allegations in Formal Complaint 06-60-GA were deemed to be admitted based on respondent's default, the panel also found that the testimony and evidence presented at the hearing did not form a factual basis for a finding of misconduct with regard to Count One and that count was dismissed. With regard to Count Two, the panel found that respondent failed to promptly pay or deliver funds to his client; failed to render a full accounting of those funds upon request; and failed to refund the advanced portion of the fee paid by his client. However, the panel also stated that the remaining allegations in Count Two were not supported by the testimony and evidence presented.

Respondent's conduct was in violation of Michigan Rules of Professional Conduct 1.15(b)(3) and 1.16(d). The panel ordered that respondent's license to practice in Michigan be suspended for 60 days and that he pay restitution.

In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit of compliance with the clerk of the Michigan Supreme Court on February 14, 2007.

Dated: