

## NOTICE OF SUSPENSION AND RESTITUTION

Case No. 05-90-GA

**Notice Issued: December 20, 2005**

Robert L. McClinton, P 31315, Diamondhead, Mississippi, by the Attorney Discipline Board Tri-County Hearing Panel #30.

1. Suspension - 3 Years
2. Effective December 13, 2005

The respondent was found to be in default for his failure to file an answer to the formal complaint or appear at the hearing. Based on that default, the panel found that respondent abandoned the representation of his clients; failed to diligently represent his client; failed to communicate with his clients; failed to maintain a telephone number where his clients could reach him; failed to deposit advanced fees into an IOLTA account; commingled and misappropriated advance fees with his personal funds; failed to refund unearned fees to his clients; misrepresented to one client that he had undue influence with the presiding judge in his client's matter; failed to maintain a correct address with the State Bar; and failed to answer a request for investigation.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A) and (B)(2); Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a); 1.5(a); 1.15(a)-(d); 1.16(d); 8.1(a)(2); and 8.4(a), (c) and (d); and Rule 2 of the Supreme Court Rules Concerning the State Bar of Michigan.

The hearing panel ordered that respondent's license be suspended for three years and that he pay restitution in the amount of \$1,500.00. Costs were assessed in the amount of \$1,833.03.