

NOTICE OF REVOCATION WITH CONDITION

Case No. 03-129-GA

Notice Issued: January 7, 2004

Stephen A. Fitzpatrick, P 13499, Center Line, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #107.

1. Revocation
2. Effective December 30, 2003

The hearing panel found that respondent, as the trustee of a trust, failed to safeguard the trust funds; misappropriated \$42,450.00 of trust funds; failed to promptly notify the beneficiaries of the existence of the funds; failed to make a final distribution of the funds to which the beneficiaries were entitled; and failed to provide an accounting of the trust funds to the beneficiaries upon request. The panel further found that respondent failed cooperate with the Grievance Administrator's investigation when he failed to appear to give a sworn statement; failed to forward file materials relating to the trust; and failed to reply to two letters from the Grievance Administrator.

Respondent's conduct was found to be in violation of MCR 9.104(A)(1)-(4); and Michigan Rules of Professional Conduct 1.15(a) and (b); 8.1(a)(2); and 8.4(a)-(c). The hearing panel ordered that respondent's license to practice be revoked and that respondent, as a condition prior to petitioning for reinstatement, must resign as trustee of the trust and submit a complete accounting to the beneficiaries. Costs were assessed in the amount of \$2,092.18.