

**NOTICE OF SUSPENSION AND RESTITUTION**  
**(With Condition)**

Case No. 01-148-GA

**Notice Issued: April 10, 2002**

Cleophas Culp, Jr., P-44768, Jackson, Michigan, by Attorney Discipline Board  
Ingham County Hearing Panel #1.

1. Suspension - 3 Years & 1 Day;<sup>1</sup>
2. Effective April 10, 2002.

The hearing panel found, by default, that respondent failed to refund unearned fees in six matters; failed to pay a refund of fees as promised; and charged and collected an illegal fee. In one matter, respondent failed to competently, diligently and expeditiously represent his client's interests; and, in four cases, neglected his clients' matters. Respondent also failed to respond to a client's inquiries regarding the status of their case; failed to have reasonable communication with a client; and failed to return a client's file. In three matters, respondent failed to inform his clients, opposing counsel or the courts of his suspension from the practice of law; accepted a retainer and engagement as an attorney following the entry of an order of suspension but before the order's effective date; and accepted payments for work to be performed in the future during his suspension. Additionally, respondent failed to timely notify a client of his continuing suspension from the practice of law; and failed to notify the courts and opposing counsel of his continuing suspension. Finally, respondent filed a late answer to a request for investigation; and failed to answer eight requests for investigation filed by the Grievance Administrator.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A); MCR 9.113(B)(2); MCR 9.119(A), (B), (D), (E)(3), and (F); and Michigan Rules of Professional Conduct 1.1; 1.2(a); 1.3; 1.4(a) and (b); 1.5(a); 1.16(d); 8.1(b); and 8.4(a) and (c).

The hearing panel ordered that respondent's license to practice law be suspended for three years and one day, with a condition relevant to the established misconduct. The panel further ordered that respondent pay restitution in the aggregate amount of \$21,000.00, and costs in the amount of \$361.67.

<sup>1</sup> Respondent has been continuously suspended from the practice of law in Michigan since December 20, 2000. See Notice of Suspension and Restitution With Conditions, By Consent, dated December 27, 2000.