

NOTICE OF REPRIMAND

Case No. 99-65-GA

Notice Issued: May 14, 2002

Che A. Karega, P-31387, Southfield, Michigan, by the Attorney Discipline Board, upon review, after remand to Tri-County Hearing Panel #58.

1. Reprimand;
2. Effective May 11, 2002.

The Grievance Administrator filed a three count complaint which included allegations that respondent failed to return an unearned fee and made a false statement in his answer to a request for investigation. The hearing panel dismissed two counts, but found that respondent made a false statement in his answer to the Grievance Administrator's request for investigation, as alleged in Count Three. The panel issued an order suspending respondent for 180 days. The respondent and Grievance Administrator filed petitions for review, and the respondent requested a stay of discipline. The Board granted the stay and, upon review, reversed the panel's dismissal of Count Two, remanding the matter to the panel for further proceedings. The Board also reversed and dismissed the panel's finding of misconduct in Count Three.

Upon further review following remand to the panel, the Board found that respondent failed to fully perform the services for which he was retained; and failed to refund the unearned portion of the fee paid by complainant. Respondent's conduct was in violation of MCR 9.104(4); and Michigan Rules of Professional Conduct 1.5(a); 1.15(b); 1.16(d); and 8.4(a). The Board ordered that respondent be reprimanded and pay restitution in the amount of \$3,000.00. Costs were assessed in the amount of \$902.11.