

NOTICE OF SUSPENSION

Case No. 99-153-GA

Notice Issued: April 16, 2002

Charles A. Roehl, P-19553, Warren, Michigan, by the Attorney Discipline Board reducing discipline from a one year suspension to a 60 day suspension.

1. Suspension - 60 days;
2. Effective April 13, 2002.

The hearing panel found that respondent failed to maintain in a trust account the sum of \$10,000.00 delivered to him on behalf of a client as an earnest money deposit in a business transaction. While finding that respondent did not intentionally convert funds to his own use and, further, that respondent was under a misapprehension as to the nature of the funds as the result, in part, of his client's concealment of material facts, the panel found that his unauthorized withdrawal of those funds was in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.15(a); and 8.4(a)-(c).

The respondent petitioned for review of the hearing panel's decision to suspend his license for one year. Respondent's petition for a stay of discipline was granted. Upon review, the Attorney Discipline Board affirmed the hearing panel's findings of misconduct but reduced the suspension from one year to 60 days in light of significant mitigating factors and the unusual fact situation presented.

Respondent's application for leave to appeal was denied by the Michigan Supreme Court on March 22, 2002 in an order which extended the stay of discipline until April 13, 2002. Total costs assessed were in the amount of \$2,003.72.