

NOTICE OF SUSPENSION

Case No. 93-77-GA

Notice Issued: July 17, 2002

D. Richard Miller, P-33456, Oak Park, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #51.

1. Suspension - 180 Days.
2. Effective June 5, 2001.¹

The hearing panel dismissed the formal complaint and the Grievance Administrator filed a petition for review. The Board affirmed the panel's dismissal of the charges which alleged that respondent violated Michigan Rules of Professional Conduct 1.4(a) and (b) by failing to communicate, as assigned counsel, with clients pursuing criminal appellate matters. However, the Board reversed the panel's dismissal of Counts One through Twenty-Four, finding that respondent, as assigned counsel in 24 criminal appellate matters, failed to file pleadings and/or motions; failed to timely file pleadings and/or motions; failed to timely pursue post-conviction relief on behalf of his clients; failed to pay costs assessed by the Court of Appeals; and neglected client matters. Respondent's conduct was in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.3; 3.2; 3.4; and 8.4(a) and (c). The Board remanded the matter to the hearing panel for a determination of the level of discipline.

Upon remand, the hearing panel ordered that respondent's license be suspended for 180 days, retroactive to June 5, 2001, the date the hearing panel held its hearing on remand. Total costs were assessed in the amount of \$1,841.77.

¹ Respondent has been continuously suspended from the practice of law in Michigan since February 24, 1994. See Notice of Revocation and Restitution, issued June 28, 1994.