

NOTICE OF REPRIMAND WITH CONDITIONS
(By Consent)

Case No. 99-091-GA

Issued: February 11, 2000

Anthony R. Smereka, P-35755, Detroit, Michigan, by the Attorney Discipline Board, Tri-County Hearing Panel #25 accepting a stipulation for consent discipline.

1. Reprimand with Conditions.
2. Effective January 29, 2000.

The respondent and the Grievance Administrator submitted a stipulation for consent order of discipline in accordance with MCR 9.115(f)(5). The stipulation was approved by the Attorney Grievance Commission and was accepted by a hearing panel. Respondent admitted the allegations in Counts Six - Eight, Ten, Twelve - Fourteen and Seventeen - Twenty of Formal Complaint 99-091-GA, specifically: that respondent failed to file a number of applications for leave to appeal on behalf of his clients; failed to maintain reasonable communication with his clients; abandoned representation without notice to his clients; filed appeal briefs months past the due date; failed to send client a copy of the appeal brief; failed to timely file a number of appeal briefs which caused the Court of Appeals to place the appeals on the "no progress" docket and, in two instances, remand to the circuit court; and failed to inform the client of the court's disposition of appeal, in violation of MCR 9.104(1)-(4) and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4; 1.16(d); 3.2 and 8.4(a) and (c). The parties agreed that Counts One-Five, Nine, Eleven, Fifteen and Sixteen of Formal Complaint 99-091-GA may be dismissed. The parties stipulated that respondent should be reprimanded, with conditions relevant to the established misconduct. Costs were assessed in the amount of \$290.15.