

NOTICE OF SUSPENSION

Case No. 97-185-GA

Charles S. Rominger, P-26899, Grand Rapids, Michigan, by the Attorney Discipline Board, affirming an order of Kent County Hearing Panel #3.

1. Suspension - 30 days.
2. Effective December 3, 1999.

The hearing panel found that the allegations in the formal complaint were established by preponderance of the evidence, to wit, respondent accepted a retainer fee of \$3,000 from a client in February 1995 to seek post-conviction relief in a criminal matter, including pursuit of possible federal remedies. The panel found that respondent failed to pursue federal relief on his client's behalf; failed to respond to his client's inquiries; failed to respond to the inquiries of the Osceola County Prosecutor; failed to explain to his client that the client's appellate bond was subject to immediate revocation; and failed to refund unearned fees.

Respondent's conduct was found to be in violation of MCR 9.104(1) through (4) and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4; 1.5(a); 1.16(d); 3.2; and 8.4(a) and (c). The panel ordered that respondent's license be suspended for 30 days and that he make restitution to the client in the amount of \$3,000.

The hearing panel's order was stayed automatically with the filing of respondent's petition for review. On May 15, 1998, the Attorney Discipline Board entered an order affirming the hearing panel's order. Respondent's application for leave to appeal was denied by the Supreme Court on September 28, 1999. By stipulation, the stay of discipline was extended to December 3, 1999. Costs were assessed in the amount of \$1,290.03.