

## **NOTICE OF REVOCATION AND RESTITUTION**

Case No. 98-226-GA

Harry S. Sherwin, P-20365, Flint, Michigan, by Attorney Discipline Board Genesee County Hearing Panel #4.

- 1) Revocation;
- 2) Effective February 10, 1999.<sup>1</sup>

The complainant retained respondent to represent him in a real estate matter, and paid respondent fees of \$1,500 for the representation. The panel found, by default, that respondent neglected and abandoned the matter; failed to refund the unearned fees or release the client file to the complainant; and failed to answer the Request for Investigation. Respondent also failed to answer the Formal Complaint and failed to appear at the disciplinary hearing.

The panel concluded that respondent's conduct violated MCR 9.103(C); MCR 9.104(1)-(4) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.2(a); 1.3; 1.4(a); 1.5(a); 1.16(d); 3.2; 8.1(b); and 8.4(a) and (c).

The panel ordered that respondent's license to practice law in Michigan be revoked for the third time, and that he make restitution to the complainant in the sum of \$2,000 plus interest. Costs were assessed in the amount of \$191.89.

<sup>1</sup> Respondent is currently subject to two other consecutive Orders of Revocation, effective September 21, 1998 and September 21, 2003, respectively.