

NOTICE OF SUSPENSION WITH CONDITIONS

Case Nos. 97-311-GA; 98-14-FA

David K. Whipple, P-36767, St. Clair Shores, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #108.

- 1) Suspension - Forty-Five (45) Days;
- 2) Effective July 23, 1998.

The panel found that the allegations in the Formal Complaints were established by default, as follows: Respondent operated an automobile while being under the influence of intoxicating liquor and while having a blood alcohol content of .10 or more, which later resulted in his conviction for Operating a Motor Vehicle While Under the Influence of Intoxicating Liquor/Operating While Having an Unlawful Blood Alcohol Level, Second Offense; committed assault and battery upon two police officers as they were attempting to conduct him through police booking procedures; in a separate incident, committed an assault and battery against his former wife; and failed to answer the Formal Complaints.

Respondent's conduct was found to be in violation of MCR 9.104(1)-(5) and (7); MCL 257.625(1); MCL 750.81; and Michigan Rules of Professional Conduct 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law in Michigan for a period of forty-five (45) days with conditions relevant to the established misconduct. Costs were assessed in the amount of \$387.78.

