MODIFIED NOTICE OF SUSPENSION

Case No. 96-60-GA

Karri Mitchell, P-42028, Detroit, Michigan, by the Michigan Supreme Court increasing Tri-County Hearing Panel #27's Order of Reprimand, which was affirmed by the Attorney Discipline Board.

1) Suspension - ten (10) days;

2) Effective April 1, 1998.

Respondent was retained to represent the plaintiff in a wrongful death action. Respondent admitted that he completed and presented to the Detroit Police a pre-printed, pre-signed Recorder's Court Order Granting Discovery, which he knew to be false and misleading on its face, to obtain police records. Respondent's conduct was found to be in violation of MCR 9.104(1)-(4) and Michigan Rules of Professional Conduct 8.4(a)-(c). Costs were assessed in the amount of $817.48.

The Grievance Administrator filed a petition for review. The Attorney Discipline Board affirmed the reprimand in an order entered March 28, 1997.

The Administrator filed an application for leave to appeal. On March 17, 1998, the Supreme Court entered an Order suspending respondent from the practice of law for ten days effective April 1, 1998. Respondent served that suspension and was automatically reinstated effective April 28, 1998. The Administrator filed a motion for reconsideration. On May 19, 1998, the Court entered an Order granting the motion for reconsideration and modifying its order of March 17, 1998, to read as follows:

"On order of the Court, the Grievance Administrator's application for leave to appeal and the Respondent's answer are considered and, pursuant to MCR 7.302(F)(1), in lieu of granting leave to appeal the Court finds that the Order of Reprimand entered by Tri-County Hearing Panel #27, affirmed by the Attorney Discipline Board, is insufficient protection for the public, the courts and the legal profession, given respondent's breach of MRPC 8.4(a-c) and MCR 9.104(1-4). The Court directs that discipline be increased to a ten day suspension, MCR 9.122(E), from the practice of law, the suspension to take effect on April 1, 1998."