

NOTICE OF SUSPENSION

Case Nos. 97-32-GA; 97-50-FA; 97-76-GA; 97-113-FA

Wilbourne A. Kelley, IV, P-42415, Detroit, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #5.

- 1) Suspension - Three (3) Years;
- 2) Effective March 3, 1998.

Respondent was retained by the first complainant to represent the probate estate of her mother, and was paid \$1,250 by the complainant to represent the estate. He was also appointed the personal representative of the estate. The panel found, by default, that respondent neglected the matter; misappropriated \$1,390 from the estate checking account; failed to account for the funds; commingled estate funds with personal funds; failed to provide the complainant with an accounting of the funds received from the sale of real property belonging to the estate and the location of the funds; failed to answer the Request for Investigation; and failed to answer the Formal Complaints. Respondent also failed to answer one other Request for Investigation and two other Formal Complaints.

Respondent's conduct was found to be in violation of 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(c); 1.2; 1.3; 1.4(a); 1.15(a) and (b); 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law for three (3) years.¹ Costs were assessed in the amount of \$1,400.64.

1. Respondent has been continuously suspended from the practice of law since April 2, 1997. His license to practice law was also revoked effective January 6, 1998.

