

NOTICE OF REPRIMAND AND SUSPENSION WITH RESTITUTION  
(By Consent)

Case Nos. 96-214-GA; 97-25-GA; 97-40-FA

Ben Gonek, P-43716, Detroit, Michigan, by Attorney  
Discipline Board Tri-County Hearing Panel #31.

- 1) Reprimand (Formal Complaint 96-214-GA);
- 2) Suspension - 180 Days (Formal Complaint 97-25-GA);
- 3) Both effective July 11, 1997.

Formal Complaint 96-214-GA

Respondent was the attorney for an inmate at the Wayne County Detention Facility, at which smoking is prohibited. Respondent pled no contest to allegations that he gave his incarcerated client items of contraband consisting of cigarettes and matches, which subjected his client to disciplinary action by the detention facility. Respondent's conduct was alleged to be in violation of MCR 9.104(1)-(4) and Michigan Rules of Professional Conduct 1.2(c) and 8.4(a)-(c). The parties stipulated that respondent be reprimanded as to Formal Complaint 96-214-GA.

Formal Complaint 97-25-GA

Respondent pled no contest to allegations that he neglected three separate post-conviction felony matters for which he was retained. Respondent's conduct was alleged to be in violation of MCR 9.104(1)-(4) and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.2(a); 1.4; and 8.4(a) and (c). The parties stipulated that respondent be suspended from the practice of law for 180 days, and make restitution to two of the complainants in the total amount of \$7,900, as to Formal Complaint 97-25-GA. Formal Complaint 97-40-FA was dismissed by stipulation.

Costs were assessed in the amount of \$415.54.