

## NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 96-162-GA; 96-196-FA

Wilbourne A. Kelley, IV, P-42415, Detroit, Michigan, by  
Attorney Discipline Board Tri-County Hearing Panel #8.

- 1) Suspension - Thirty (30) Days;
- 2) Effective April 2, 1997.

Respondent was retained to represent the complainant in an action to pursue custody and guardianship of her minor grandchildren. Respondent was paid a \$500 retainer and the parties agreed that respondent would take immediate action regarding the matter. The complainant discharged respondent from the representation approximately one month later. The panel found, by default, that respondent failed to comply with the complainant's demands for the return of other unearned fee or to provide her with an accounting of the funds; failed to answer the Request for Investigation; and failed to answer the 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 1.5(a); 1.15(c); 1.16(d); 8.1(b); and 8.4(a) and (c).

The panel ordered that respondent be suspended from the practice of law for thirty days and make restitution to the complainant in the amount of \$500. Costs were assessed in the amount of \$136.77.