

FINAL NOTICE OF REVOCATION AND RESTITUTION

Case No. 96-227-GA

Notice Issued: November 27, 2001

David L. Underwood, P-44754, Haslett, Michigan by the Attorney Discipline Board, on remand, adopting the supplemental report of Ingham County Hearing Panel #7.

1. Revocation;
2. Effective December 9, 1996.

The respondent did not participate in the original proceedings before the hearing panel which resulted in an order revoking his license to practice law effective December 9, 1996 (See Notice of Revocation and Restitution dated March 5, 1997). Upon consideration of respondent's delayed petition for review, the Attorney Discipline Board reduced the level of discipline to a suspension of three years. The Supreme Court remanded the case to the Board for application of the American Bar Association's Standards for Imposing Lawyer Sanctions. On remand, the Board directed the panel to conduct a hearing on discipline and to submit a supplemental report on discipline. On October 31, 2001, the Board adopted the hearing panel's supplemental report which found that respondent's conduct, including his misappropriation of funds, his knowing failure to perform services for a client, and his false statements in answer to a request for investigation warranted revocation under ABA Standards 4.11, 4.41(b), and 7.1. Supplemental costs were assessed in the amount of \$486.60. Respondent submitted proof that he made restitution as ordered in the amount of \$5,242.58.

NOTE: Respondent has been continuously suspended from the practice of law in Michigan since August 25, 1995, for his failure to pay costs assessed in a prior disciplinary matter.