

NOTICE OF REPRIMAND
(By Consent)

Case No. 96-104-GA

Eric E. Biretta, P-37550, Mount Clemens, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #108.

- 1) Reprimand;
- 2) Effective September 14, 1996.

Respondent was retained and paid a \$1,500 fee to defend a woman on charges of Operating a Motor Vehicle Under the Influence of Liquor and Operating a Motor Vehicle With an Unlawful Blood Alcohol Level. He pled no contest to allegations that he failed to appear for two pre-trials; failed to appear for the sentencing; and abandoned the representation. The Court issued an order requiring respondent to show cause why he should not be held in contempt for his non-appearance at the sentencing. He appeared before the Court in response to the order to show cause. He pled no contest to allegations that he falsely stated to the judge that he had fully refunded his client's fee; and failed to take reasonable remedial measures to correct his false statement.

Respondent's conduct was alleged to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4(a); 1.16(d); 3.2; 3.3(a)(1); 3.4(c); and 8.4(a)-(c).

The parties stipulated that respondent be reprimanded. Costs were assessed in the amount of \$84.21.