

FINAL NOTICE OF SUSPENSION AND PROBATION

Case Nos. 96-24-AI; 96-29-JC

Herbert C. Mick, P-25852, Commerce, Michigan, by the Attorney Discipline Board affirming Tri-County Hearing Panel #56's Order of Suspension and Probation.

- 1) Suspension - four (4) months;
- 2) Probation - two (2) years;
- 3) Both effective December 12, 1995.

On December 12, 1995, respondent was convicted in Oakland County Circuit Court, by guilty plea, of Operating a Motor Vehicle Under the Influence of Liquor--Third Offense in violation of MCL 257.6256D (a five-year felony) and of Driving Contrary to License Restrictions in violation of MCL 257.312 (a ninety-day misdemeanor). In accordance with MCR 9.120(B)(1), respondent was automatically suspended from the practice of law in Michigan effective December 12, 1995, the date of the felony conviction. Upon the filing of the judgment of conviction, the Attorney Discipline Board entered an order directing respondent to show cause why a final order of discipline should not be entered. On April 17, 1996, the panel entered an Order of Suspension and Probation. That order directed that respondent be suspended from the practice of law from December 12, 1995 to April 12, 1996, and until compliance with MCR 9.123(A); and that respondent be placed on probation for two years commencing December 12, 1995, a term which corresponds with the probationary period imposed as a part of respondent's sentencing under the Judgment of Conviction. Costs were assessed in the amount of \$271.00.

The Grievance Administrator filed a petition for review seeking increased discipline. In an order and opinion entered on November 21, 1996, the Attorney Discipline Board affirmed the panel's order in all respects.

NOTE: Respondent was automatically reinstated to the practice of law effective April 22, 1996. See Notice of Automatic Reinstatement dated April 25, 1996.