

NOTICE OF SUSPENSION

Case No. 94-12-GA

James A. Tucker, P-21608, Detroit, MI, by the Attorney Discipline Board affirming Tri-County Hearing Panel #12's Order of Suspension.

- 1) Suspension - 240 days;
- 2) Effective July 19, 1995.

Respondent was retained by the defendant in a federal criminal matter. The panel found that respondent, for a period of over one year, was unresponsive to the attempts of the Assistant U.S. Attorney to engage in plea negotiations; failed to return a plea offer that had been signed by his client; failed to timely communicate all plea offers to his client; failed to keep his client reasonably advised; made false representations to his client; made false representations to the United States District Court that he had discussed the plea offers with his client and that his client had refused to accept the offers; and, at a hearing conducted in the United States District Court on the issue of ineffective assistance of counsel, gave false testimony regarding the plea negotiations.

Respondent's conduct was found to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.3; 1.4; 3.2; 3.3(a)(1)and(2); and 8.4(a)-(c).

The Grievance Administrator and the respondent each filed a petition for review. On May 23, 1995, the Attorney Discipline Board affirmed the hearing panel order of suspension. Respondent filed an application for leave to appeal and petition for stay, both of which were denied by the Michigan Supreme Court on July 13, 1995.

In a separate action by the respondent against the Attorney Discipline Board, a United States District Court Judge entered an order on July 19, 1995 denying the respondent's Motion for Preliminary Injunction. The suspension is deemed effective July 19, 1995.

Costs were assessed in the amount of \$2,494.76.