

NOTICE OF SUSPENSION AND RESTITUTION

Case No. 92-234-GA

Lonnie T. Smith, P-23602, Cleveland, Ohio (formerly of Detroit, Michigan), by the Attorney Discipline Board affirming a hearing panel order of suspension.

- 1) Suspension - thirty (30) days;
- 2) Effective June 2, 1995.

Respondent was retained to represent the defendant in a criminal proceeding in the United States District Court for the Southern District of West Virginia, and accepted a total of \$1,080 toward his attorney fee of \$5,000. The panel found, by a preponderance of the evidence, that respondent failed to file an appearance on his client's behalf; failed to file a motion pro hoc vice to represent his client in a jurisdiction where he was not authorized to practice law; failed to associate himself with an attorney admitted in that jurisdiction; failed to meet with his client in person; failed to take action on his client's behalf; failed to refund the \$1,080 partial fee upon demand; failed to respond to three written requests for information from the Attorney Grievance Commission; and failed to comply with an AGC subpoena.

Respondent's conduct was found to be in violation of MCR 9.104 and Michigan Rules of Professional Conduct 1.1(a)-(c) and 8.4(c).

The panel order that respondent be suspended from the practice of law in Michigan for thirty days and make restitution to the complainant in the amount of \$1,080.

The respondent and the Grievance Administrator each filed a petition for review. In an order issued May 11, 1995, the Attorney Discipline Board affirmed the hearing panel order of suspension and restitution. Costs were assessed in the amount of \$1,576.45.

NOTE: Respondent has been suspended from the practice of law in Michigan continuously since July 8, 1994, the effective date of the Attorney Discipline Board's Order of Interim Suspension in Case Nos. 92-66-GA; 92-99-FA.