

NOTICE OF SUSPENSION AND RESTITUTION

Case No. 95-3-GA

Mark R. McCreedy, P-36256, Flint, Michigan, by Attorney
Discipline Board Genesee County Hearing Panel #3.

- 1) Suspension - two (2) years;
- 2) Effective April 20, 1995.

Respondent failed to answer the Formal Complaint and failed to appear at the hearing held in Flint on March 1, 1995. Respondent's default was entered, and the panel determined that the default established the allegations of the Formal Complaint.

A woman paid respondent \$1,000, as an advanced retainer to represent her should she be charged in a criminal matter. Eight months later, the woman demanded a refund of the \$1,000, and the return of documents entrusted to respondent as she had not been charged with any criminal offenses. Respondent failed to refund the unearned \$1,000 or to return the woman's documents to her; and failed to answer the Request for Investigation.

A man paid respondent a partial fee of \$300 to represent him in a divorce action. Respondent failed to notify him of a hearing date; failed to respond promptly to messages from opposing counsel; failed to keep in reasonable communication with his client or to respond to numerous inquires from him; and failed to answer the Request for Investigation.

Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4)and(7); MCR 9.113(A)and(B)(2); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.3; 1.4; 1.5(a); 1.15(b); 1.16(d); 3.2; 8.1(b); and 8.4(a)and(c).

The panel ordered that respondent be suspended from the practice of law in Michigan for two years and make restitution to one complainant in the amount of \$1,000. Costs were assessed in the amount of \$225.88.

NOTE: Respondent's license to practice law in Michigan was revoked effective February 11, 1995. See Notice of Revocation and Restitution (Pending Appeal) dated March 9, 1995.