

NOTICE OF REPRIMAND WITH CONDITIONS  
(By Consent)

Case No. 94-231-GA

Mark H. Magidson, P-25581, Detroit, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #7.

- 1) Reprimand;
- 2) Effective May 3, 1995.

The respondent and the Grievance Administrator filed a stipulation for consent order of discipline pursuant to MCR 9.115(F)(5), which was approved by the hearing panel and the Attorney Grievance Commission.

Respondent was appointed to represent a defendant in criminal appellate proceedings. He admitted that he failed to timely pursue post-conviction relief on his client's behalf; filed a brief which was not accepted by the Court of Appeals because no Claim of Appeal had been filed; and filed an Application for Delayed Appeal and failed to file with the Court of Appeals a copy of a pre-sentence report as required by MCR 7.205(B)(3) and MCR 7.212(C)(6).

Respondent was appointed to represent another defendant in criminal appellate proceedings. He admitted that he filed an appellate brief in which he raised sentencing issues without having review the sentencing transcript.

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

The parties stipulated that respondent be reprimanded, conditioned on his attendance at a Michigan Appellate Assigned Counsel System orientation session and an ICLE seminar concerning issues relevant to criminal appeals.

Costs were assessed in the amount of \$58.98.