

NOTICE OF SUSPENSION

Case Nos. 94-103-GA; 94-122-FA; 94-150-GA; 94-173-FA

Sanford I. Topper, P-23491, Southfield, Michigan, by the Attorney Discipline Board affirming a hearing panel order of suspension.

- 1) Suspension - two (2) years;
- 2) Effective January 11, 1995.

Respondent accepted a retainer fee of \$1,000 to institute proceedings to obtain the records of a safety deposit box maintained by his client's deceased father. He admitted that he failed to institute those proceedings; failed to communicate with his client; and failed to return the unearned fee upon request.

Respondent was retained to institute bankruptcy proceedings. He admitted that he failed to institute those proceedings; failed to respond to his client's inquiries; and failed to refund the unearned \$350 fee.

Respondent was retained to represent the husband in divorce proceedings. He was entrusted with \$5,569.29 from the divorce estate, a portion of which was to be used for paying taxes and the remainder to be returned to either the husband or the wife. He admitted that he misappropriated \$1,583.25 of the funds; withheld material facts when responding to the wife's Request for Investigation; failed to answer the husband's Request for Investigation; and failed to answer the Formal Complaints.

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 Michigan Rules of Professional Conduct 1.1(c); 1.4; 1.15(a)and(b); 1.16(d); 8.1(b); and 8.4(a)-(c).

The Grievance Administrator file a petition for review. Respondent filed a petition for review and stay of discipline. The petition for stay was denied by the Board. Respondent thereafter withdrew his petition for review. In an order entered April 3, 1995, the Attorney Discipline Board affirmed the hearing panel order of suspension. Costs were assessed in the amount of \$341.15.