

NOTICE OF SUSPENSION

Case Nos. 93-267-GA; 94-2-FA

Guerry B. McNabb, P-17528, Muskegon, Michigan, by the Attorney Discipline Board affirming a hearing panel order of suspension.

- 1) Suspension - 180 days;
- 2) Effective December 30, 1994.

Respondent failed to answer the Formal Complaints and failed to appear at the hearing held in Grand Rapids on February 24, 1994. Respondent's defaults were entered, and the panel determined that the defaults established the allegations of the Formal Complaints.

Kent County Hearing Panel #1 found, by default, that respondent, through his written and oral communications with an opposing party, employed means in his representation of a client that had no substantial purpose other than to embarrass, delay or burden that party; failed to answer the Request for Investigation; and failed to cooperate with the Attorney Grievance Commission 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 1.2(a); 4.4; 8.1(b); and 8.4(a)and(c).

Respondent filed a petition for review and was granted a stay of discipline. On December 8, 1994, the Attorney Discipline Board entered an order affirming the hearing panel order of suspension, directing that the suspension in this matter run concurrently with the 180-day suspension imposed in Case No. 94-86-GA, commencing December 30, 1994. Respondent filed an application for leave to appeal and motion for stay of discipline with the Michigan Supreme Court. The application for leave to appeal and motion for stay were denied by the Court in an order issued February 28, 1995.

Costs were assessed in the amount of \$321.73.