

NOTICE OF REPRIMAND
(By Consent)

Case No. 93-227-GA

James R. Miller, P-35683, Wyoming, Michigan, by Attorney
Discipline Board Oceana County Hearing Panel.

- 1) Reprimand;
- 2) Effective August 18, 1994.

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 filed bankruptcy on behalf of a debtor. Later, respondent was retained by a third party to file suit on storage fees owed to the third party by the debtor. Respondent failed to discover that the storage fees predated the bankruptcy filing and thus should have refused to represent the third party.

Respondent pleaded no contest to charges that he filed suit against a former client when he should have avoided even the appearance of a conflict of interest and should have discovered that the former client's debt predated the bankruptcy filing which respondent had earlier filed on the former client's behalf.

Respondent admitted that he should have been aware of the conflict and that his conduct constituted a violation of Michigan Rules of Professional Conduct 1.9(a) and 8.4(a).

Costs were assessed in the amount of \$5.50.