

NOTICE OF SUSPENSION

Case No. 94-84-GA

J. David Whyte, P-37712, Sault Ste. Marie, Michigan, by
Attorney Discipline Board Cheboygan County Hearing Panel #2.

- 1) Suspension - 180 Days;
- 2) Effective September 9, 1994.

Respondent was retained to represent a client's interest in property which was the subject of probate proceedings in the estate of the client's deceased father. The panel found, by default, that respondent neglected the matter and failed to adequately communicate with his client; failed to withdraw from the case despite being informed that he had been discharged; failed to return his client's file upon request; 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); MCR 9.113(B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4; 1.15(b); 1.16(a)(3)and(d); 8.1(b); and 8.4(a)and(c).

Respondent filed a petition for review and request for stay of discipline. His request for stay was denied. On February 2, 1995, the Attorney Discipline Board entered an order remanding the matter to the hearing panel for further proceedings. On July 27, 1995, the panel entered an order affirming its original order of suspension. Costs were assessed in the total amount of \$757.90.