

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 93-228-GA; 93-277-FA

David J. Perry, P-39058, Harbor City, California (formerly of Westland, Michigan), by Attorney Discipline Board Washtenaw County Hearing Panel #4.

- 1) Revocation;
- 2) Effective May 18, 1994.

Respondent failed to answer the Formal Complaint and failed to appear at the hearing held in Dexter on December 20, 1993. Respondent's default was entered, and the panel determined that the default established the allegations of the Formal Complaint.

Respondent was retained to probate an estate but, after he filed the Petition for Commencement of Supervised Proceedings and the supporting documentation, he failed to take any other action on his client's behalf; moved his office and failed to advise his client of his new address; failed to keep his client reasonably informed; failed to refund the unearned \$350 fee; after receiving \$149.21 from his client to pay the estate's inventory fee, failed to pay the inventory fee to the probate court and misappropriated the funds; 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)and(B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4; 1.5; 1.15; 1.16(d); 3.2; 8.1(b); and 8.4(a)-(c).

The panel order that respondent's license be revoked and that he make restitution to his client in the amount of \$396.80. Costs were assessed in the amount of \$318.60.

NOTE: Respondent's license to practice law in Michigan has been suspended continuously since November 23, 1993.