

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 94-27-GA; 94-46-FA

David J. Perry, P-39058, Harbor City, California (formerly of Westland, Michigan), by Attorney Discipline Board Tri-County Hearing Panel #20.

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

Respondent failed to answer the Formal Complaints and failed to appear at the hearing held in Detroit on April 7, 1994. Respondent's defaults were entered, and the panel determined that the defaults established the allegations of the Formal Complaints.

Respondent was retained to file a Petition for Guardianship/Conservatorship on behalf of his client's mother, but failed to petition the probate court for a guardianship and/or conservatorship; failed to take any action on his client's behalf; moved his office and failed to advise his client of his change of address; failed to keep his client advised as to the status of the matter; failed to refund the unearned \$350 fee; 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(b); 1.16(d); 3.2; 8.1(b); and 8.4(a)-(c).

In its report, the panel noted respondent's prior three-year suspension. The panel ordered that respondent's license to practice law in Michigan be revoked effective May 18, 1994, the same effective date as the Order of Revocation in Case Nos. 93-228-GA; 93-277-FA, and that he make restitution to his client in the amount of \$350. Costs were assessed in the amount of \$119.72.

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