

NOTICE OF REVOCATION

Case Nos. 93-220-GA; 93-275-FA

Thomas M. Hibler, P-37953, Plymouth, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #24.

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

Respondent failed to answer the formal complaints and failed to appear at the hearing held in Detroit on January 18, 1994. Respondent's defaults were entered, and the panel determined that the defaults established the allegations of the formal complaints.

Respondent's license to practice law in Michigan was suspended for a period of thirty days and until compliance with MCR 9.123(A), effective May 28, 1992. Respondent failed to comply with MCR 9.123(A) until April 30, 1993, and under the rules remained a suspended attorney until that time. Respondent continued to practice law and to hold himself out as an attorney during the period of suspension; knowingly made false representations in his affidavit of compliance filed with the Michigan Supreme Court; and failed to answer the request for investigation.

Respondent was retained to represent two clients in legal matters. Respondent failed to file a counter-claim on his clients' behalf; failed to comply with a court order; failed to appear for two hearings; failed to respond to plaintiff's motion for summary disposition; failed to keep his clients reasonably informed concerning the status of the matter; failed to file a motion for summary disposition regarding a third client involved in the same matter; failed to communicate with the third client or respond to his inquiries; failed to cooperate in the substitution of counsel for the third client; failed to file an action to foreclose on two land contracts on the first clients' behalf; and knowingly made a false representation to the first clients.

Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4),(7)and(9); MCR 9.113(A)and(B)(2); MCR 9.119; MCR 9.123(A); MCL 600.916; MSA 27A.916; and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4; 3.2; 3.3(a)(1); 5.5(a); 8.1; and 8.4(a)-(c).

The panel entered an Interim Order of Revocation on January 27, 1994, reflecting its decision to revoke respondent's license effective thirty days from the date of the hearing (February 18, 1994), giving respondent thirty days from the date of the hearing to request a mitigation hearing. Respondent failed to request a mitigation hearing on or before February 17, 1994, and the panel

entered its final Order of Revocation on March 7, 1994.

Costs were assessed in the amount of \$216.87.