

NOTICE OF REPRIMAND AND RESTITUTION

Case No. 93-6-GA

James E. Linn, P-31096, Berkley, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #83.

- 1) Reprimand;
- 2) Effective April 23, 1993.

Respondent was retained to file a Motion for Modification of Sentence in a criminal matter, and was paid an \$800.00 attorney fee. Respondent admitted that, for a period of approximately 19 months, he failed to keep his client informed concerning the status of the case or to respond to his client's inquiries or those of his client's wife; neglected to file the motion for approximately 20 months after he was retained; failed to communicate the court's ruling on the motion to his client or his client's wife; failed to submit a proposed order to the court setting forth the court's denial of the motion; failed to take steps to implement administrative proceedings on his client's behalf through the Department of Corrections as indicated in the court's ruling; and, failed to promptly comply with his client's request for receipt of his file and records.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4); the Michigan Rules of Professional Conduct, 1.1(a-c); 1.3; 1.4(a); 3.2; 8.4(a,c); and Canons 1, 6 and 7 of the then-applicable Code of Professional Responsibility, DR 1-102(A)(1,5,6); DR 6-101 (A)(1-3); DR 7-101(A)(1-3).

The panel ordered respondent to make restitution to his client in the amount of \$800.00. Costs were assessed in the amount of \$323.79.