

NOTICE OF SUSPENSION WITH CONDITIONS AND RESTITUTION
(By Consent)

Case No. 92-171-GA

John L. Denton, P-23537, Saginaw, Michigan, by the Attorney Discipline Board.

- 1) Suspension - forty (40) months;
- 2) Effective June 5, 1993.

Respondent was retained to pursue post-conviction proceedings in a criminal matter. The Bay County Hearing Panel found that he failed to initiate post-conviction proceedings on his client's behalf; failed to answer a Request for Investigation; and failed to answer an Attorney Grievance Commission request for information.

Respondent was retained to represent the plaintiffs in a personal injury action, and in an action brought against them by the responsible party in the personal injury claim. The panel found that he failed to institute legal proceedings against the responsible party in the personal injury claim; failed to institute proceedings by way of a counter-claim or cross-complaint against the plaintiff; 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(B)(2); Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 3.2; 8.1(b); 8.4(a)and(c); and Canons 1, 6 and 7 of the then-applicable Code of Professional Responsibility, DR 1-102(A)(1),(5)and(6); DR 6-101(A)(3); DR 7-101(A)(1)-(3). The panel noted respondent's failure to appear before the panel (although respondent's counsel did attend the hearing). The panel ordered that respondent's license to practice law in Michigan be suspension for thirty-six months and that he make \$1900 restitution to one complainant.

Respondent filed a petition for review on June 4, 1993. On June 2, 1994, the parties filed a Stipulation for Consent Order of Discipline, in which respondent withdrew his petition for review and agreed to a forty-month suspension with conditions, effective June 5, 1993. Costs were assessed in the total amount of \$510.07.