

NOTICE OF REPRIMAND

Case No. 91-222-GA

Julian M. Levant, P16592, Lathrup Village, Michigan, by the Attorney Discipline Board affirming a hearing panel order of reprimand.

- 1) Reprimand;
- 2) Effective February 13, 1993.

Respondent represented the plaintiff in civil litigation in the U.S. District Court, Eastern District of Michigan. The hearing panel found that respondent failed to file a timely notice of appeal with the Sixth Circuit Court of Appeals and failed to file a motion for extension of time in which to appeal. Consequently, the plaintiff lost his appellate rights. A letter from the respondent's office advised his client that respondent would be appearing before the U.S. Court of Appeals on the subject appeal. The panel found that the letter was false because respondent knew, or should have known, that the Court of Appeals had dismissed the appeal. Respondent was found to be responsible for the contents of the letter; however, the panel did not find that the respondent personally prepared or signed it.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4); the Michigan Rules of Professional Conduct, 1.4(a); 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)(3); DR 7-101(A)(1-3). In determining the level of discipline, the panel considered respondent's lack of prior discipline in 21 years of practice.

The Grievance Administrator filed a petition seeking review of the hearing panel's order of reprimand. In an order and opinion issued June 10, 1993, the Attorney Discipline Board affirmed the hearing panel's order of reprimand, concluding that the panel's findings had proper evidentiary support in the whole record. Costs were assessed in the amount of \$678.57.