

NOTICE OF INCREASED SUSPENSION

Case No. 92-64-GA

John R. Mullett, P18066, Warren, Michigan, by the Attorney Discipline Board increasing a hearing panel order of suspension for 90 days.

- 1) Suspension - 120 days;
- 2) Effective December 1, 1992.

Respondent was retained to represent the defendants in a land contract forfeiture action. The matter was settled and the defendants were obligated to pay \$3500 to plaintiff's counsel. The defendants paid \$2500 to respondent, which was to be forwarded to plaintiff's counsel. Tri-County Hearing Panel #102 found that respondent failed to pay plaintiff's counsel for approximately seven months; misappropriated the funds for that seven months; deposited fees and other funds belonging to him into his client trust account, commingling his funds with those of his clients; and used client funds to pay personal and office expenses, misappropriating those funds.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4); and the Michigan Rules of Professional Conduct, 1.15(a-c); 8.4(a-c).

The Grievance Administrator filed a petition for review seeking an increase in discipline. In an order entered February 26, 1993, the Attorney Discipline Board increased discipline to a 120-day suspension, and ordered that respondent's handling of client funds shall be subject to review by a monitor approved by the Attorney Discipline Board. Costs were assessed in the amount of \$984.74.