

## NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 92-181-GA; 92-202-FA

Donald L. Sugg, P38874, Saginaw, Michigan, by the Attorney Discipline Board modifying a hearing panel order of suspension.

- 1) Suspension - 16 months;
- 2) Effective November 5, 1992.

Respondent failed to answer the formal complaints and failed to appear at the hearing held in Midland on September 16, 1992. Respondent's default was entered, and the panel determined that the default established the allegations of the formal complaint.

Respondent was retained to represent a client in various civil and criminal matters, but failed to take actions on his client's behalf; failed to communicate with his client; failed to turn over files and/or documents to his client or her subsequent counsel; and, failed to answer the request for investigation.

Respondent was retained to represent a defendant in a criminal matter, but failed to timely appeal the criminal conviction; and, failed to answer the request for investigation.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4,7); MCR 9.103(C); MCR 9.113(B)(2); and the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; 4.1(a); 1.15(b); 1.16(d); 3.2; 8.1(b); 8.4(a,c). On November 5, 1992, Midland County Hearing Panel #1 entered an order suspending respondent's license for a period 16 months effective February 12, 1992, the effective date of an earlier order of suspension.

The Grievance Administrator filed a petition seeking review of the retroactive effective date of the suspension. One of the complainants filed a petition for review seeking restitution. On May 13, 1993, the Attorney Discipline Board entered an order modifying the effective date of the suspension to November 5, 1992, and ordering \$2000 restitution to the complainant. Costs were assessed in the amount of \$274.57.

NOTE: Respondent's license to practice law in Michigan has been continuously suspended since February 12, 1992.