

## NOTICE OF REVOCATION

Case Nos. 92-32-GA; 92-61-FA

Thomas S. Halpin, III, P24410, St. Clair Shores, Michigan, by  
Attorney Discipline Board Tri-County Hearing Panel #108.

- 1) Revocation;
- 2) Effective August 19, 1992.

Respondent failed to answer the formal complaints, but appeared at the hearings held in Mt. Clemens on April 7 and May 26, 1992. Respondent's defaults were entered and the panel determined that the defaults established the allegations of the formal complaints.

Respondent was retained to probate an estate, but misappropriated \$236,500; failed to file timely inventory and annual accountings; failed to collect \$41,000 from the sale of a liquor license; failed to obtain a loan to pay the estate's federal income tax; failed to pay the estate's federal and state taxes; depleted the assets of the estate; failed to communicate with the heirs of the estate; failed to pay a promissory note on which he owed the estate \$9865.38; failed to seek repayment of a \$10,000 loan made to respondent's wife by the decedent; failed to obtain proof that the loan from the decedent to his wife had been repaid; and made false statements regarding assets of the estate in bankruptcy proceedings.

Respondent was retained in a civil matter, but failed to comply with the defendant's discovery request; failed to comply with the request to produce a witness list; failed to appear for a scheduled deposition; failed to comply with the terms of an order regarding discovery; failed to file a required mediation statement; and failed to advise his client of the removal of the case to district court. The client filed a legal malpractice action against the respondent. Respondent made a condition of the settlement in the legal malpractice action that the client would not report respondent's conduct to the Attorney Grievance Commission.

Respondent's conduct was found to be in violation of MCR 8.303; MCR 9.104(1-4,7); the Michigan Rules of Professional Conduct, 1.1(a-c); 1.2(a); 1.3(a); 1.4(a); 1.7(a,b); 1.8(a); 1.15(a,b); 3.3(a)(4); 3.4(b); 8.1(b); 8.4(a,c); and Canons 1, 5, 6, 7 and 9 of the then-applicable Code of Professional Responsibility, DR 1-102(A)(1,3-6); DR 5-101(A); DR 6-101(A)(1-3); DR 7-101(A)(1-3); DR 9-102(A)and(B)(4). Costs were assessed in the amount of \$896.58.