

## NOTICE OF REPRIMAND

Case No. 91-226-GA

Robert F. Mirque, P23816, Grand Rapids, Michigan, by Attorney Discipline Board Kent County Hearing Panel #3.

- 1) Reprimand;
- 2) Effective August 18, 1992.

The hearing panel found that the allegations of misconduct contained in Count One, paragraph (G)(i) and Count Two, paragraphs (C)(ii) and (iii) of the formal complaint were established by a preponderance of the evidence. The balance of the formal complaint was dismissed.

Respondent was retained to handle probate proceedings by the estate's personal representative. The assets of the estate included two bags of silver coins that were to be divided in accordance with the terms of the will and an order of the probate court. Respondent failed to distribute to one of the heirs to the estate her share of the coins; applied the proceeds from the sale of the coins against attorney fees owed him by the personal representative; and transmitted the balance of the proceeds to the personal representative although she had no legal right to the 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; 8.4 (a,c). Costs were assessed in the amount of \$479.58.