

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 91-55-GA; 91-80-FA

David S. Grant, Jr., P29252, Reseda, California (formerly of Flint, Michigan) by the Attorney Discipline Board affirming a hearing panel order of suspension and restitution.

- 1) Suspension - 130 days;
- 2) Effective May 19, 1992.

Respondent failed to answer the formal complaint and failed to appear at the hearing held in Lapeer on May 29, 1991. Respondent's default was entered and the panel determined that the default established the allegations of the Formal Complaint 91-55-GA. Formal Complaint 91-80-FA was dismissed without prejudice.

Respondent was retained to institute legal proceedings against his client's former employer, but failed to timely file a witness list as required by pretrial orders, causing dismissal of the case. Thereafter, respondent filed a Claim of Appeal in the Court of Appeals, but failed to comply with the order of the Court of Appeals requiring the serving of his brief on the defendant/appellee, causing the appeal to be dismissed.

Respondent's conduct was found to be in violation of MCR 9.104; the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; 3.2; 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 an order entered December 19, 1991, Genesee County Hearing Panel #3 ordered that respondent's license to practice law in Michigan be suspended for a period of 130 days and that respondent make restitution to the complainant in the amount of \$2000.00.

The Grievance Administrator filed a petition for review seeking an increase in the discipline imposed. Respondent filed a petition for review seeking a decrease in the discipline imposed. In an order entered April 27, 1991, the Attorney Discipline Board affirmed the hearing panel order of suspension restitution. Costs were assessed in the amount of \$283.21.