

NOTICE OF TRANSFER TO INACTIVE STATUS

Case Nos. 92-18-GA; 92-44-FA

John P. Boeschenstein, P10929, Muskegon, Michigan, by Attorney Discipline Board Muskegon County Hearing Panel #2.

- 1) Transfer to Inactive Status;
- 2) Effective July 1, 1992.

Respondent failed to answer the formal complaints, but appeared at the hearing held in Muskegon on May 4, 1992. Respondent's defaults were entered and the panel determined that the defaults established the allegations of the formal complaints.

Respondent was retained to represent the wife in a divorce proceeding, but failed to institute any proceedings on her behalf; made false statements to his client; and made false statements in his answer to the request for investigation.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4,6,7); and the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; 3.2; 3.3(a)(1,2,4); 3.4(a,b); 8.1(b); 8.4(a-c).

In accordance with the amended formal complaint filed by the Grievance Administrator, the panel concluded that respondent is incapacitated within the meaning of MCR 9.121(B)(1) and is unable to continue the practice of law. In accordance with MCR 9.121(B)(4), pending disciplinary proceedings against the respondent shall be held in abeyance. No costs were assessed.