

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 91-263-GA; 92-4-FA; 92-30-GA; 92-56-FA

Sherman Sharpe, Jr., P32766, Detroit, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #29.

- 1) Revocation;
- 2) Effective April 29, 1992.

Respondent failed to answer the formal complaints and failed to appear at the hearing held in Detroit on April 29, 1992. Respondent's defaults were entered, and the panel determined that the defaults established the allegations of the formal complaints.

Respondent was appointed trustee of a bankruptcy estate, but misappropriated \$84,950 from the estate; falsely advised the court that he had invested the funds on the estate's behalf; failed to file accountings with the court; and made false statements in his answer to the request for investigation.

Respondent was retained to represent a client in Equal Employment Opportunity Commission proceedings, but failed to return telephone calls regarding the defendants' settlement position and the availability of their records for review; failed to appear at the EEOC hearing; failed to keep his client informed concerning the status of the matter; made a false statement to the court; and failed to answer the request for investigation.

Respondent delivered a check in the amount of \$4387-46, drawn on his payroll account, to the Wayne County Friend of the Court on behalf of a client. The check was dishonored for insufficient funds; and respondent failed to answer the request for investigation.

Respondent was retained to obtain his client's appointment as personal representative of an estate, but failed to take any action on his client's behalf; failed to keep his client informed concerning the status of the matter; made false statements to his client; failed to refund the unearned \$375 retainer fee; and failed to answer the request for investigation.

Respondent was retained to represent a client in a discrimination matter, but failed to keep his client informed concerning the status of the matter; failed to file a complaint in the Federal District Court; made false statements to his client; failed to release his client's file after his services were terminated; failed to refund the unearned \$120 retainer fee; and failed to answer the request for investigation.

Respondent failed to answer an unrelated request for

investigation.

Respondent's conduct was found to be in violation of MCR 9.104(1-7); MCR 9.113(A); MCR 9.113(B)(2); the Michigan Rules of Professional Conduct I.1(c); 1.2(a); 1.3; 1.4; 1.15; 1.16(d); 3.2; 3.3(a); 8.1(b); 8.4(a-c); and Canons 1, 6, 7 and 9 of the then-applicable Code of Professional Responsibility, DR 1-102(A)(1,3-6); DR 6-101(A)(3); DR 7-101(A)(1-3).

On April 30, 1992, the panel issued an interim order revoking respondent's license to practice law in Michigan effective April 29, 1992, the date of the hearing. On July 7, 1992, the panel issued its final order of revocation and restitution, ordering respondent to make restitution to the bankruptcy estate in the amount of \$84,950. Costs were assessed in the amount of \$799.22.

NOTE: Respondent has been continuously suspended from the practice of law in Michigan since November 8, 1991, and remained under suspension at the time of his revocation.