

NOTICE OF SUSPENSION AND RESTITUTION

Case No. 90-163-GA

Burke H. Webb, P22064, Marcellus, Michigan, by Attorney
Discipline Board Berrien County Hearing Panel.

- 1) Suspension - 30 days;
- 2) Effective June 6, 1992.

The hearing panel accepted the respondent's plea of no contest to the allegations of the formal complaint.

Respondent was retained to institute probate proceedings on behalf of an estate. The complaint alleged that respondent delayed in instituting probate proceedings; failed to pay the inheritance taxes for the estate; failed to file an inventory on behalf of the estate; failed to respond to the inquiries of his client or subsequent counsel concerning the status of the estate; failed to release original checks to his client or subsequent counsel; and failed to answer the request for investigation.

Respondent was retained in connection with a warranty matter. The complaint alleged that respondent failed to institute a warranty suit on behalf of his client; and failed to respond to his client's inquiries or her estate's inquiries concerning the status of the matter.

Respondent's conduct was alleged to be in violation of MCR 9.104(1-4,7); MCR 9.113(A); MCR 9.113(B)(2); the Michigan Rules of Professional Conduct, 1.1(c); 1.3; 1.4; 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).

The panel ordered the respondent to make restitution to the estate in the amount of \$1273.06. Costs were assessed in the amount of \$359.08.