

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 92-78-GA; 92-104-FA

Craig V. Matte, P34783, Mount Clemens, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #107.

- 1) Revocation;
- 2) Effective July 14, 1992.

Respondent failed to answer the formal complaints and failed to appear at the hearing held in St. Clair Shores on May 20, 1992. Respondent's default was entered and the panel determined that the default established the allegations of the formal complaints.

Respondent was retained by the plaintiff/wife in a divorce action, but failed to appear for a hearing before the Friend of the Court; failed to advise his client to appear for the Friend of the Court hearing; failed to file objections to the Friend of the Court's recommendation; failed to respond to his client's inquiries or the inquiries of her representative; failed to act honestly and forthrightly in connection with proceeds from the sale of the marital property; failed to maintain the funds as a fiduciary; misappropriated a portion of the funds; failed to provide an accounting of the proceeds to opposing counsel; failed to file an accounting of the funds with the court; failed to surrender the proceeds in his possession as ordered by the court; continued to distribute money from the account without the court's authority; and failed to respond to his client's inquiries, or her representative's inquiries, concerning the funds.

Respondent's conduct was found to be in violation of MCR 9.104(1-4,7); and the Michigan Rules of Professional Conduct, 1.1(c); 1.3; 1.4; 1.15; 3.2; 3.4(c); 8.1(b); 8.4(a-c). The panel ordered respondent to make restitution to his client in the amount of \$8227.25. Costs were assessed in the amount of \$345.64.

NOTE: In a prior matter, Case Nos. 92-19-GA; 92-48-FA, respondent's license to practice law was suspended for a period of one year effective May 6, 1992. That suspension remained in effect at the time of his revocation.