

NOTICE OF REVOCATION

Case Nos. 91-209-GA; 91-258-FA;
92-86-FA; 92-92-GA; 92-94-GA; 92-113-FA

David B. Scholfield, P29354, Finchville, Kentucky (formerly of Detroit, Michigan), by Attorney Discipline Board Tri-County Hearing Panel #23.

- 1) Revocation;
- 2) Effective June 22, 1992.

Respondent failed to answer the formal complaints and failed to appear at the hearing held in Detroit on May 29, 1992. Respondent's defaults were entered and the panel determined that the defaults established the allegations of five of the formal complaints. Formal Complaint 91-258-FA was dismissed on the petitioner's motion.

Respondent was retained concerning modification of child support, but failed to appear at a Friend of the Court hearing, causing it to be adjourned; appeared approximately two hours late for the rescheduled Friend of the Court hearing, missing the hearing; and failed to answer the request for investigation.

Respondent was retained in connection with a real estate matter, but failed to keep his client informed concerning an address and/or telephone number at which he could be reached; failed to keep his client informed concerning the status of the matter; and failed to answer the request for investigation.

Respondent was retained to assist a plaintiff in collecting a judgment obtained in a civil action. Respondent obtained three checks on his client's behalf, but deposited the first check into his office business account, commingling client funds with his own; failed to promptly deliver the proceeds of the first check to his client; misappropriated the proceeds of the first check; deposited the second check into his general account, commingling client funds with his own; cashed the third check; and failed to answer the request for investigation.

Respondent's conduct was found to be in violation of MCR 9.104(1-4,7); MCR 9.113(A)and(B)(2); and the Michigan Rules of Professional Conduct, 1.1(c); 1.3; 1.4; 1.15; 3.2; 8.1(b); 8.4(a,c). Costs were assessed in the amount of \$290.41.

NOTE: In a prior matter, Case Nos. 91-103-GA; 91-117-FA, respondent's license to practice law was suspended for a period of 150 days effective October 24, 1991. That suspension remained in effect at the time of his

revocation.