

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 91-114-GA; 91-134-FA

Seymour Floyd, P28796, Bingham Farms, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #60.

- 1) Suspension - 18 months;
- 2) Effective January 4, 1992.

Respondent failed to answer the formal complaints, failed to appear at the first hearing held on August 9, 1991, but appeared at the second hearing held in Bloomfield Hills on September 23, 1991. Respondent's defaults were entered and the panel determined that the defaults established the allegations of the formal complaints.

Respondent was retained to institute an appeal of a criminal conviction and accepted \$520.00 for fees and costs, but failed to communicate with his client concerning the status of the case or respond to his client's inquiries; failed to notify his client that the appeal had been dismissed; permitted the appeal to be dismissed; 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 9.103(C); MCR 9.113(B)(2); and the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; ; 3.2; 8.1; 8.4(a-c). The panel ordered respondent to make restitution to his client in the amount of \$520.00. Costs were assessed in the amount of \$298.78.