

## NOTICE OF SUSPENSION

Case Nos. 91-26-GA; 91-41-FA

Benjamin W. Dajos, Jr., P12448, Coldwater, Michigan, by the Attorney Discipline Board increasing a hearing panel order of reprimands.

- 1) Suspension - 120 days;
- 2) Effective September 14, 1991.

Respondent failed to answer the formal complaints, but appeared at the hearing held in Kalamazoo on April 4, 1991. Respondent's defaults were entered and the panel determined that the defaults established the allegations of the formal complaints. Respondent failed to answer a request for investigation and failed to answer the formal complaints. Respondent's conduct was found to be in violation of MCR 9.104(1-4,7); MCR 9.113(A); MCR 9.113(B)(2); and the Michigan Rules of Professional Conduct, 8.1; 8.4(a-c). Kalamazoo County Hearing Panel #2 imposed a separate reprimand for the misconduct found in each complaint.

The grievance administrator filed a petition for review seeking an increase in the discipline imposed. In an order issued August 23, 1991, the Attorney Discipline Board increased discipline to a suspension of 120 days, citing respondent's prior record of discipline and his pattern of indifference toward his obligation to answer requests for investigation and formal complaints.

Respondent filed an application for leave to appeal with the Michigan Supreme Court seeking vacation of the Attorney Discipline Board order increasing discipline and reinstatement of the hearing panel order of reprimands. Leave to appeal was denied by the Michigan Supreme Court in an order dated October 28, 1991. Respondent's motion to vacate the automatic stay was granted by the Michigan Supreme Court, and the suspension is deemed to be effective September 14, 1991. Costs were assessed in the amount of \$280.29.