

## NOTICE OF INCREASED DISCIPLINE

Case Nos. 90-103-GA; 90-113-FA

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

- 1) Suspension - sixty (60) days;
- 2) Effective June 8, 1991.

Respondent failed to answer the formal complaints, but appeared at the hearings held in Kalamazoo on July 19, 1990 and October 3, 1990. Respondent's default was entered and the hearing panel determined that the default established the allegations of the formal complaint. Respondent represented a client in a land contract forfeiture action, but failed to timely deliver checks and money orders to the treasurer's office or the court in payment of outstanding tax, interest and penalties, and failed to answer the request for investigation. Respondent was appointed to represent an individual on a criminal charge of malicious destruction of property, but failed to file an interlocutory appeal after promising to do so and failed to answer the request for investigation. Respondent was retained in connection with a divorce matter, but failed to have the value of the marital assets properly appraised, failed to notice the taking of the wife's deposition and failed to answer the request for investigation. Respondent failed to answer a separate 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); Canons 1, 6 and 7 of the Code of Professional Responsibility, DR 1-102(A)(1,5,6); DR 6-101 (A)(3); DR 7-101(A)(1-3); and Rules 1.1(c); 1.2(a); 1.15(b); 8.4(a-c) of the Michigan Rules of Professional Conduct.

The grievance administrator filed a petition for review seeking an increase in the discipline imposed. In an order dated May 17, 1991, the Attorney Discipline Board increased discipline to a suspension of sixty days. Costs were assessed in the amount of \$745.26.