

NOTICE OF RECIPROCAL SUSPENSION

Case No. 92-151-RD

Donnie H. White, P-37258, Trotwood, Ohio and Atlanta, Georgia,
by Attorney Discipline Board Tri-County Hearing Panel #13.

- 1) Suspension - two years;
- 2) Effective April 11, 1991.

Respondent's license to practice law in Kentucky was suspended for a period of three years effective April 11, 1991. The Kentucky Supreme Court found that respondent charged and collected a clearly excessive fee in his representation of an estate; and falsely answered an interrogatory submitted to him as a party defendant in a civil action. The Court found that respondent's conduct violated DR 1-102(A)(3,4,6), DR 2-106(A) and SCR 3.130(1) under the code of professional responsibility as adopted by the Supreme Court of Kentucky. An aggravating factor considered by the Court was respondent's prior disciplinary record in Kentucky, which consisted of a private admonition, a private reprimand and a public reprimand.

In accordance with MCR 9.104, proof of an adjudication of misconduct in a disciplinary proceedings by another state court is conclusive proof of misconduct in a disciplinary proceeding in Michigan. The only issues to be addressed in the Michigan proceedings are whether the respondent was afforded due process of law in the course of the original proceedings and whether imposition of identical discipline in Michigan would be inappropriate.

The panel unanimously determined that imposition of identical discipline in Michigan would be inappropriate in this case, and ordered that respondent be suspended from the practice of law in Michigan for a period of two years retroactive to April 11, 1991, the date of the Kentucky suspension. Costs were assessed in the amount of \$80.00.