

## NOTICE OF SUSPENSION AND RESTITUTION

Case No. 90-136-GA; 90-146-FA

Marcia A. MacDonald, P-32940, Grandville, Michigan by Attorney Discipline Board Kent County Hearing Panel #3.

- 1) Suspension - three years;
- 2) Effective December 7, 1990.

The respondent failed to answer the formal complaint and failed to appear at the hearing held in Grand Rapids on October 2, 1990. Respondent's default was entered and the hearing panel determined that the default established the allegations of the formal complaint.

Respondent was retained as substitute appellate counsel in a criminal matter, but failed to file any supplemental pleadings on her client's behalf, failed to refund her client's unearned retainer fee, 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); 1.3; 1.15(b); 8.4(a-c). The panel ordered the respondent to make restitution to her client of the unearned retainer in the amount of \$1000.00. Costs were assessed in the amount of \$311.58.