

NOTICE OF SUSPENSION

ADB 180-89; 90-3-FA

James E. Zann, P-22694, Livonia, Michigan, by the Attorney Discipline Board increasing a hearing panel order of suspension of 120 days.

- 1) Suspension - three years;
- 2) Effective April 10, 1990.

The respondent failed to answer the formal complaint and failed to appear at the hearing held in Detroit on February 1, 1990. Respondent's default was entered and the hearing panel determined that the default established the allegations of the formal complaint.

The respondent was automatically suspended from the practice of law effective February 15, 1988 as a result of his failure to reimburse the State Bar of Michigan within the time prescribed for costs incurred in a prior disciplinary matter. The respondent engaged in the practice of law in Wayne County Probate Court while he was suspended and failed to answer a request for investigation.

Respondent's conduct was found to be in violation of MCR 9.104(1-4); MCR 9.103(C); MCR 9.113(B)(2); MCR 9.119(A); and the Michigan Rule of Professional Conduct, Rules 1.16(a)(1); 5.5; 8.1(b); and 8.4(a)(c).

The Grievance Administrator filed a petition for review seeking an increase in the discipline imposed. In an order dated October 4, 1990, the Attorney Discipline Board increased the suspension to three years. In its opinion, the Board cited the aggravating factors of the respondent's continuing failure to respond and his record of public discipline in two other matters. Costs were assessed in the amount of \$177.55.