

NOTICE OF SUSPENSION

ADB 176-89; 90-1-FA

Joseph Malfait, P-31174, Port St. Lucie, Florida, (formerly of Port Huron, Michigan), by Attorney Discipline Board Wayne County Hearing Panel #15.

- 1) Suspension - three years;
- 2) Effective May 18, 1990.

The respondent failed to timely answer the formal complaints and failed to appear at the hearings held in Detroit on March 8, 1990 and April 10, 1990. Respondent's motion to set aside default was denied and the hearing panel determined that the default established the allegations of the formal complaint.

Respondent failed to answer a request for investigation 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 8.4(a-c).

The panel cited the respondent's failure to appear, failure to keep a current address on file with the State Bar of Michigan, and prior disciplinary history consisting of three suspensions of 180 days, one year, and two years as aggravating factors. Costs were assessed in the amount of \$233.20.