

## NOTICE OF SUSPENSION

ADB 78-89

Joseph Malfait, P-31174, Port St. Lucie, Florida, by Attorney  
Discipline Board Wayne County Hearing Panel #5.

- 1) Suspension - two years;
- 2) Effective March 8, 1990.

The respondent failed to answer the formal complaint and failed to appear at the hearing held in Detroit on July 24, 1989. Respondent's default was entered and the hearing panel determined that the default established the allegations of the formal complaint.

The respondent failed to answer a 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 MRPC 8.4(a,c).

The hearing panel noted the aggravating factor of the respondent's two prior disciplines, a suspension of 180 days effective January 5, 1989 (ADB 245-87; 9-88; 222-88) and a suspension of one year effective June 24, 1989 (ADB 275-88). Costs were assessed in the amount of \$107.90.