

AMENDED
NOTICE OF SUSPENSION
(amended as to effective date only)

ADB 28-89; 44-89; 126-89

Richard D. Zaharie, P-32852, Jackson, Michigan, by Attorney
Discipline Board Washtenaw County Hearing Panel #2.

- 1) Suspension - 45 days;
- 2) Effective February 15, 1990.

Prior to the commencement of proceedings, the parties entered into a stipulation in which the respondent offered a plea of nolo contendere to the charges brought against him in the three formal complaints. The hearing panel accepted the plea and found that it constituted an admission to the charges of misconduct.

Respondent was appointed to appeal the conviction an inmate charged with possession of a weapon, but failed to protect his client's appeal as of right, failed to respond to the correspondence of the Court of Appeals, failed to respond to the inquiries of his client and failed to timely prepare and file an application for leave to appeal.

In a separate matter, the respondent was appointed appellate counsel, filed a claim of appeal on behalf of his client, but filed the claim of appeal late, filed a late brief, failed to take any further action on his client's behalf to pursue the appeal, and failed to communicate with his client.

Respondent's conduct was found to be in violation of MCR 9.104(1-4,7); DR 1-102(A)(1,5,6); DR 6-101(A)(3); DR 7-101(A)(1-3); and MRPC 1.1(c), 1.2(a), 1.3, 1.4(a)(b) and 8.4(a)(c). Costs were assessed in the amount of \$139.61.