

NOTICE OF REVOCATION AND RESTITUTION

ADB 77-89

Chester Curtice, P-12409, Woodhaven, Michigan, by Attorney Discipline Board Wayne County Hearing Panel #16.

- 1) Revocation;
- 2) Effective September 27, 1989.

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. Respondent was retained to pursue the discharge of a mortgage and received the sum of \$8000 to be held in trust for his client, but misappropriated the funds. In a separate matter, the respondent was retained in connection with a criminal matter and was paid a retainer in the amount of \$1500, but took no action on his client's behalf, abandoned his representation of the client without notice, and failed to refund the unused portion of the retainer fee. In another matter, the respondent was retained in connection with a child custody matter and paid a retainer in the amount of \$1500, but took no action on his client's behalf, abandoned representation of the client without notice, and failed to refund the unused portion for the retainer fee. Respondent was retained in another custody matter, but failed to complete the litigation, failed to advise his client of the status of the case, and failed to refund any unused portion of the retainer fees. Respondent failed to answer four requests for investigation. Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1-4,7); MCR 9.113(B); and Canons 1, 2, 6, 7 and 9 of the Code of Professional Responsibility, DR 1-102(A)(1,3-6); DR 2-110(A)(3); DR 6-101(A)(3); DR 7-101(A) (1-3); DR 9-102(A); DR 9-102(B)(3,4); and the Michigan Rules of Professional Conduct, Rule 8.4(a-c). The hearing panel ordered the respondent to make restitution the total amount of \$12,250. Costs were assessed in the amount of \$99.45