

NOTICE OF SUSPENSION AND RESTITUTION

ADB 177-88

George F. Shirley, P-20381, Fort Myers, Florida (formerly of Kalkaska County, Michigan), by Attorney Discipline Board Wayne County Hearing Panel #16.

- 1) Suspension - 120 days;
- 2) Effective December 8, 1988.

The Respondent failed to answer the Formal Complaint and failed to appear at the hearing held in Detroit on September 27, 1988. Respondent's default was entered and the panel determined that the default established the allegations of the Formal Complaint. Respondent was retained to institute divorce proceedings on his client's behalf and was paid a fee in the amount of \$410.00, but filed the Complaint for Divorce in the wrong county, resulting in the entry of an Order of Dismissal; failed to refile the complaint; abandoned his law practice without notice to his client; and failed to refund the unused portion of the retainer paid him by his client. Respondent's conduct was found to be in violation of MCR 9.104(1-4); and Canons 1, 2, 6, and 7 of the Code of Professional Responsibility, DR 1-102(A)(1, 5, 6); DR 2-110(A)(3); DR 6-101(A)(3); and DR 7-101(A)(1, 3). Costs were assessed in the amount of \$119.91. Respondent was also ordered to make restitution to his client in the amount of \$410.00.