

NOTICE OF SUSPENSION

ADB 68-88

Robert J. Cunningham, Jr., P-29245, Madison Heights, MI by
Attorney Discipline Board Oakland County Hearing Panel #19.

- 1) Suspension - two years;
- 2) Effective October 18, 1988.

The Respondent failed to answer the Formal Complaint and failed to appear at the hearing in Bloomfield Hills on June 1, 1988. Respondent's default was entered and the hearing panel determined that the default established the allegations of the Formal Complaint. Respondent was retained in February, 1980 to manage rental property. Respondent thereafter failed to deposit all rental proceeds in proper accounts; failed to pay his client the amounts to which she was entitled; failed to pay taxes on the property; and misappropriated the rental proceeds and additional monies given to him to pay taxes. Respondent also failed to answer the 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 Canons 1 and 9 of the Code of Professional Responsibility, DR 1-102(A)(1,4-6); DR 9-102(A); and DR 9-102(B)(4). Costs were assessed in the amount of \$739.76.