

NOTICE OF SUSPENSION
(By Consent)

ADB 124-88

James W. Daly, P 25170, Adrian, MI by Attorney Discipline Board, Wayne County Hearing Panel #12.

- 1) Suspension - 120 days;
- 2) Effective July 7, 1988.

In a Stipulation for Consent Order of Discipline filed in accordance with MCR 9.115(F)(5) on October 19, 1988, the respondent offered his plea of no contest to charges contained in a formal complaint that he accepted a retainer to appeal an OUIL conviction but failed to take action on his client's behalf, failed to communicate with his client and failed to refund the unused portion of the fees; that he accepted a retainer for the purpose of appealing the criminal conviction of another client but failed to take action in that matter; failed to communicate with the client and failed to refund the unused portion of the fees; and that he failed to answer two Requests for Investigation. This conduct was alleged to be in violation of MCR 9.104(1-4,7); and Canons 1, 2, 6 and 7 of the Code of Professional Responsibility, DR 1-102(A)(1,5,6); DR 1-110(A)(3); DR 6-101(A)(3) and DR 7-101(A)(1-3). The stipulation, which was approved by the Attorney Grievance Commission and the hearing panel, was further deemed to constitute a resolution of any misconduct charges arising from respondent's conviction of a misdemeanor in Macomb County Circuit Court in September 1988. Costs were assessed in the amount of \$215.16.