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Attorney Discipline Board



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NOTICE OF REVOCATION

ADB 132-87; 144-87

Anthony J. Knerly, P 16075, P. O. Box 1139, Brighton, MI 48116 by Attorney Discipline Board Oakland County Hearing Panel #7.

- 1) Revocation;
- 2) Effective December 29, 1987.

The Respondent did not answer the Formal Complaint and did not appear at the scheduled hearing. The hearing panel ruled that the default was properly entered and that the allegations of misconduct stood as admitted. As personal representative of a decedent's estate, Respondent prepared and filed an Inventory disclosing cash assets in excess of \$40,000 but failed to file an annual accounting for the year 1986 and disclosed to the bonding agency in January 1987 that he had misappropriated the funds belonging to the estate. At that time, Respondent further disclosed to the bonding agency that he had misappropriated the funds from a second decedent's estate in the approximate amount of \$62,000. A separate count alleged that Respondent was retained in connection with a real estate transaction and received escrow funds in excess of \$28,000 which he misappropriated to his own use. The panel further found that Respondent failed to answer Requests for Investigation and failed to answer the Formal Complaint. Respondent's conduct was deemed to be in violation of MCR 9.104(1-4,7); MCR 9.103(C); MCR 9.113(B)(2) and Canons 1,6,7 and 9 of the Code of Professional Responsibility, DR 1-102(A)(3-6); DR 6-101(A)(3); DR 7-101(A)(1-3) and DR 9-102(B)(2-4). Costs were assessed in the amount of \$114.94. Respondent was ordered to make full restitution to the individual complainants, the bonding agency and the State Bar Client Security Fund.

The hearing panel noted Respondent's prior Reprimand in 1985 and filed its unanimous opinion that revocation was warranted in light of the threat to the integrity of the legal profession presented by the lawyer who steals from clients.

A handwritten signature in dark ink, appearing to read "John F. VanBolt".

John F. VanBolt

Dated: JAN 08 1988