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Attorney Discipline Board



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NOTICE OF SUSPENSION

File No. DP 134/85

Alvin O. Brazzell, P 23599, 2012 Kennedy Square Building,
Detroit, MI 48226 by Attorney Discipline Board Wayne County
Hearing Panel #6,

- 1) Suspension - 180 days;
- 2) Effective February 4, 1987.

The Hearing Panel found that Respondent's acts and omissions arising from his representation of a client constituted professional misconduct as follows:

Count I --respondent filed suit on behalf of a client in the year 1980 but failed to perform any services in that case after 1981 and failed to withdraw as counsel of record in violation of MCR 9.104(1,2 &4) and the Code of Professional Responsibility, DR 1-102(A)(5,6); DR 6-101(A)(1,3) and DR 7-101(A)(1-3);

Count II --respondent falsely represented to his client in August 1984 that the case was going well when, in fact, the case had been dismissed for no progress, in violation of MCR 9.104(1-4) and DR 1-102(A)(4-6);


Count IV --respondent continued to represent his client although his license was suspended for a period of sixty days and he failed to notify his client of his change of status contrary to MCR 9.104(1,3, & 4) and DR 1-102(A)(5-6);

Count V --respondent filed a false Affidavit with the clerk of the Supreme Court with regard to his notification to clients of his change of status, in violation of MCR 9.104(1,4) and DR 1-102(A)(5,6);

Count VI --respondent's reply to a Request for Investigation contained misrepresentations in violation of MCR 9.104(1,4) and DR 1-102(A)(5,6).

Following a separate hearing to consider aggravating and mitigating circumstances bearing upon the level of discipline to be imposed, the Hearing Panel concluded that suspension of 180 days was warranted. Costs were assessed in the amount of \$1255.52.

Separate Petitions for Review have been filed by the Respondent and the Grievance Administrator seeking modification of the level of discipline. Respondent has not requested a stay of discipline and the suspension will remain in effect until further order of the Attorney Discipline Board or until Respondent's reinstatement in accordance with the procedures set forth in MCR 9.123(B) and MCR 9.124.


John F. VanBolt
Dated: FEB 23 1987

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