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STATE OF MICHIGAN

Attorney Discipline Board



JOHN F. VAN BOLT
EXECUTIVE DIRECTOR &
GENERAL COUNSEL

SUITE 1200
333 W. FORT STREET
DETROIT, MICHIGAN 48226
Area Code 313 963-5853

NOTICE OF REVOCATION

File Nos. DP 201/85; DP 61/86

Duana A. Ashley, P 10275, 210 S. Woodward Avenue, Suite 207, Birmingham, MI 48011 by the Attorney Discipline Board increasing a Hearing Panel Order Suspending Respondent's License for a Period of Nine (9) Months to Revocation.

1) Revocation;

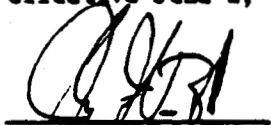
2) Effective June 2, 1986. (Board's Order, effective November 6, 1986, increases this suspension ordered by the Panel, in effect since June 2, 1986.)

The Respondent, a suspended attorney at the time the Hearing Panel convened, failed to answer either of the Formal Complaints filed by the Grievance Administrator and failed to appear at the hearing. By virtue of the Defaults, the Panel found that misconduct had been established, to wit: Respondent's neglect of a civil matter in 1983 and false statements to the client that suit had been commenced; Respondent's violation of a prior 119 day suspension, including his representation of a client while suspended, his failure to comply with an Order of Restitution, his failure to pay the costs in that Order and his failure to notify his clients of his suspension; Respondent's failure to answer a Request for Investigation; and his failure to answer a Formal Complaint. Respondent's conduct was found to be in violation of MCR 9.104(1,2 4 & 7); MCR 9.113(A)(B)(2) and Canons 1, 6 & 7 of the Code of Professional Responsibility, to wit: DR 1-102(A)(1,4 & 5); DR 6-101(A)(3) and DR 7-101(A)(1-3).

A nine month suspension imposed by the Panel was appealed to the Attorney Discipline Board by the Grievance Administrator. The Respondent did not appear in response to the Board's Order to Show Cause. The Board increased discipline to a Revocation.

In its Opinion, the Board noted Respondent's prior discipline including a Reprimand effective 7/1/75; Sixty (60) Day Suspension effective 4/8/76; 119 Day Suspension effective 3/12/85 and 120 Day Suspension effective 2/24/86, Respondent's pattern of neglect and misrepresentation, and the aggravating effect of his disregard for the terms of a prior discipline order. Costs were assessed in the amount of \$112.92.

NOTE: Respondent was the subject of an Order suspending his license for 119 days effective 4/3/85, File No. DP 163/84 (see Notice of Suspension dated April 5, 1985). Respondent did not file an Affidavit of Compliance and that suspension was in effect from April 3, 1985 to the Revocation of his license effective June 2, 1986.


John F. VanBolt

Dated: NOV 07 1986