

## Attorney Discipline Board



## Members:

Patrick J. Keating, Chairman  
 Martin M. Doctoroff, Vice-Chairman  
 Charles C. Vincent, Secretary  
 Remona A. Green  
 Hanley M. Gurwin  
 Robert S. Harrison  
 Odessa Komer

John F. VanBolt  
 EXECUTIVE DIRECTOR &  
 GENERAL COUNSEL

SUITE 1260  
 333 W. FORT STREET  
 DETROIT, MICHIGAN 48226  
 TELEPHONE: (313) 963-5553

NOTICE OF SUSPENSION

File Nos. DP 27/85; DP 109/85; DP 99/85

Graff Kennelly, P 25887, 32330 W. Twelve Mile, Farmington Hills, MI 48018 by Attorney Discipline Board Wayne County Hearing Panel 22.

- (1) Suspension (3 years, 1 day);
- (2) Effective March 28, 1986.

The Respondent failed to answer three Formal Complaints filed by the Grievance Administrator and failed to appear at the hearing on those consolidated Complaints. The Hearing Panel concluded that the allegations of misconduct were deemed to be admitted by virtue of the Defaults which had been filed and the Panel further concluded that the allegations of misconduct were independently established by a preponderance of the evidence submitted at the hearing.

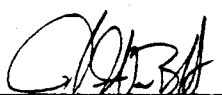
In File DP 27/85, the Panel found that the Respondent had neglected a legal matter entrusted to him by a client in 1977 and that from 1978 to 1984 made false statements to the client concerning the status of the case. The Panel further found that the Respondent was served with a Request for Investigation from the Attorney Grievance Commission but that his answer to the Grievance Administrator was false, misleading and deceptive and was accompanied by a letter purportedly prepared in 1978 but which was, in fact, a forgery prepared by the Respondent in 1985. Respondent also failed to appear in response to a Subpoena Duces Tecum served by the Grievance Administrator.

In File DP 99/85, the Hearing Panel found that the Respondent's neglect of a personal injury case for which he was retained in 1974 resulted in the dismissal of the case in 1977 and that Respondent made false statements to his client concerning the status of that case from 1977 to 1984. The Panel found that in answer to the Request for Investigation filed by that client, the Respondent submitted an answer which was false, misleading and deceptive and which was accompanied by a letter purportedly prepared in 1980 but which was, in fact, a forgery prepared in 1985.

In File DP 109/85, the Panel concluded that Respondent's failure to answer Complaint DP 27/85 constituted an additional act of professional misconduct.

The Respondent was found to have violated the standards of professional conduct as set forth in MCR 9.104(1-4)(6)(7), MCR 9.113(A), Canons 1, 6 & 7 of the Code of Professional Responsibility DR 1-102(A)(4-6), DR 6-101(A)(3) and DR 7-101(A)(2)(3) and DR 7-102(A)(3-6).

The Respondent was ordered to make restitution in the amount of \$500.00 in repayment of the retainer fee paid to him by his client in 1977. Actual costs were assessed in the amount of \$300.76 together with further costs in the amount of \$500.00 assessed in conjunction with the granting of Respondent's request for an adjournment of the first scheduled hearing date.

  
 John F. VanBolt  
 Executive Director &  
 General Counsel

Dated: APR 18 1985