

Attorney Discipline Board



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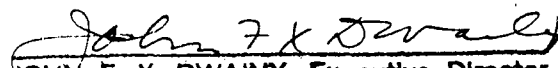
NOTICE OF SUSPENSION & RESTITUTION

DP-86/84 & 139/84

KENNETH J. WELLER (P 26040), 1110 S. Park Street, Hastings, MI, 49058, by Attorney Discipline Board Battle Creek Hearing Panel.

- (1) Suspension (with requirement of restitution);
- (2) For a period of one (1) year;
- (3) Effective April 1, 1985.

The Respondent was in default for failure to answer the Formal Complaint and the hearing panel found that Respondent had violated the disciplinary rules as alleged in the Formal Complaint. Respondent was retained to appeal a criminal conviction and was paid a retainer and thereafter filed a claim of appeal; however, Respondent neglected to pursue the appeal resulting in no progress warnings by the court and eventually in dismissal for no progress, in violation of former GCR 1963, 953 (1)(2)(4) and Canons 1, 6, and 7 of the Code of Professional Responsibility, to-wit: DR1-102(A)(1)(5)(6), DR6-101(A)(3) and DR7-101(A)(1-3). The hearing panel ordered restitution to the client in the amount of \$1,330 and assessed costs in the amount of \$723.42. It was noted in the record that the Respondent filed no answer and failed to appear as required.


JOHN F. X. DWAINY, Executive Director
& General Counsel

Dated: April 5, 1985