STATE OF MICHIGAN

Attorney Discipline Board

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NOTICE OF REVOCATION OF LICENSE PENDING APPEAL

DP-226/82 & DP-29/83

GARY MIATECH (P 32212), 965 Delridge Rd., East Lansing, MI 48823, by Attorney Discipline Board Lansing Hearing Panel #2.

(1) Revocation of license;
(2) Effective November 2, 1983.

The hearing panel found: that Respondent did solicit and accept $250 from a client for the express purpose of providing bail for said client; that Respondent failed to use said funds to post bail, but instead converted the funds to his own use; that Respondent was consequently convicted in the Ingham County Circuit Court on a plea of guilty to a charge of larceny by conversion in violation of MCLA 750.362, a felony punishable by imprisonment for a maximum period of 5 years or a fine of not more than $2,500; that Respondent was also convicted in the Ingham Circuit Court on a plea of guilty to the charge of uttering and publishing a forged instrument in violation of MCLA 750.249, a felony punishable by imprisonment for a maximum of 14 years; that Respondent failed to institute certain personal injury litigation, failed to adequately investigate the accident and injuries, failed to ascertain the source of payment for medical bills for said injuries, failed to adequately research the applicable statute of limitations, failed to make direct contact with the treating physician or therapist and requested no medical reports and failed to adequately advise the client of various changes of his law office locations and telephone numbers; that Respondent neglected another civil litigation matter, was similarly inaccessible to the client and failed to advise the client regarding the case and his law office location, and that Respondent falsely informed this client regarding the time of filing of the Complaint. The panel found violations of Canons 1, 6, and 7 of the Code of Professional Responsibility, to-wit: DR1-102, DR6-101 and DR7-101. The hearing panel assessed costs to be computed. A complaining witness has filed a petition for review of the hearing panel decision seeking restitution of a $500 retainer fee paid to Respondent; the matter is tentatively scheduled for hearing at the January 1984 Attorney Discipline Board meeting.

NOV 2 1983

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