

Attorney Discipline Board



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 GENERAL COUNSEL

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

NOTICE OF SUSPENSION

DP-204/80

JAMES R. B. HOVEY, (P 25078), 223 North Bridge St., P.O. Box 41,
 Grand Ledge, MI 48837, by Attorney Discipline Board Kent Circuit Hearing
 Panel "A".

- (1) Suspension;
- (2) For a period of one hundred and thirty (130) days;
- (3) Effective June 29, 1981. (NOTE: A Notice of Suspension pending appeal was issued by the Board pursuant to an Order Denying Stay pending appeal.)

The Hearing Panel determined that Respondent was retained to investigate and prosecute an action against police authorities for false arrest and injuries incidental thereto. Respondent was paid a retainer and did thereafter cooperate with court appointed counsel in a related pending criminal matter by obtaining certain documents and data relative to the criminal case; however, the Panel found that Respondent failed to take any further action to prosecute the civil matter and failed to reasonably communicate with his client, and failed to properly advise the client of the status of the case. The Panel found that Respondent failed to answer the charges against him within the time prescribed by the rules and that the answer was not proper in form. The Panel also found that Respondent failed to answer the Grievance Administrator's Request for Investigation. Respondent was found to have violated Canons 1, 6, and 7 of the Code of Professional Responsibility, to-wit: DR 1-102(A)(1)(4)(6), DR 6-101(A)(3) and DR 7-101(A)(1)(2), and GCR 1963, 953(7), 962 and 964.2. The Panel considered certain mitigating evidence and a record of previous discipline including three prior suspensions (one for 30 days and two for 120 days).

The Attorney Discipline Board dismissed Respondent's Petition for Review after failure of Respondent to appear as scheduled. Costs were assessed in the amount of \$374.62.

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

David Baker Lewis
 DAVID BAKER LEWIS, Secretary of the
 Attorney Discipline Board

Dated 12/17/81

800-204