

# Attorney Discipline Board



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This is to inform the Courts of the State of Michigan of the following Order of Discipline:

## NOTICE OF SUSPENSION

File No. DP-192/80

JOHN M. HOFFMAN, (P15042), 315 Hubbard Street, Allegan, MI 49010, by Attorney Discipline Board Kent Circuit Hearing Panel "B".

- (1) Suspension;
- (2) For a period of 90 days (concurrently with suspension ordered in file no. DP-93/80)
- (3) Effective May 27, 1981.

The hearing panel found that Respondent had committed misconduct as charged in the two count Formal Complaint, to wit: Respondent was appointed appellate counsel in a felony criminal matter and failed to file a motion for new trial within the time prescribed, that a delayed motion for new trial was denied, that Respondent failed and refused to communicate with the client regarding the status of the appeal, that Respondent for several months failed to take any action on behalf of the client, that Respondent's application for delayed appeal was returned by the Court of Appeals for failure to comply with applicable rules of pleading; Respondent further failed to answer the Request for Investigation filed with the Grievance Administrator. The Complaint charged violations of GCR 953(1)(2)(7), 962.2(b), Canons 1, 6, and 7 of the Code of Professional Responsibility, to wit: DR 1-102(A)(5)(6), DR 6-101(A)(2)(3) and DR 7-101(A)(1).

The panel considered a prior record of discipline including a reprimand by the State Bar of Indiana, a suspension of 30 days in 1977 and a suspension of 120 in 1980. The panel determined that Respondent suffered from a debilitating physical or mental condition and, as to Count I, the substantive charge, rendered an order of probation of two years including a condition of treatment, limitation of practice under the supervision of other attorneys and periodic progress reports. As to Count II the panel found that the debilitating condition did not account for Respondent's failure to answer and that this warranted a suspension of 90 days, to run concurrent with a 120 day suspension in a separate matter.

*David Baker Lewis*

David Baker Lewis, Secretary  
ATTORNEY DISCIPLINE BOARD

Date of Issuance: JUL 22 1981

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