

STATE OF MICHIGAN
Attorney Discipline Board



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File # 35588-A

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

(REVISED)
NOTICE OF SUSPENSION

File No. 35588-A

BOOKER T. GAULDEN (P13878), 515 S. Chestnut, Lansing, Michigan 48910, for a period of 180 days by the Seventh Congressional District Hearing Panel #3 of the Attorney Discipline Board. The suspension was made effective June 27, 1979 by Order of the Michigan Supreme Court setting aside the Board's Stay of Discipline and reinstating the hearing panel discipline order, but allowing Respondent to properly renew a Motion to Set Aside Default. Respondent's renewed Motion to Set Aside Default was denied by the Board's Order filed August 7, 1979.

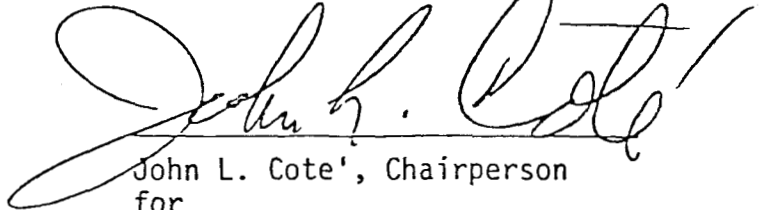
Respondent was charged in a five count Complaint with: failure to properly convey title in certain real property; submission of false statements in response to the Grievance Administrator's Request for Investigation; failure to timely file a Complaint for Divorce after receipt of a legal fee; affixing the client's signature to a divorce complaint without authorization and personal notarization of said purported signature; neglect of a legal matter and neglect or refusal to advise the client of the status of said matter despite repeated inquiries, and failure to return the legal fee to said client as promised. Violations of the following disciplinary rules were alleged in the Complaint: Canon I, DR 6-101 (A) (1-3), Canon VII, DR 7-101 (A) (2-3), former Supreme Court Rule 15.2 (1-4) and (6), Canon I, DR 1-102 (A) (4-6), Canon VII, DR 7-102 (A) (5-6). Respondent was also charged with violation of MCLA 750.249.

Two counts involving failure to timely file said Divorce Complaint, and the signing of the client's name and notarization thereof were dismissed without prejudice upon Motion of Counsel for the Grievance Administrator. The Panel made a finding of failure to carry out an employment contract, neglect and resulting prejudice or damage to the client; however, there was no finding that Respondent undertook a matter which he knew or should have known he was not competent to handle and no finding of inadequate preparation as alleged. The Panel also found misconduct involving dishonesty, fraud,

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deceit or misrepresentation and neglect of another client matter. Additionally, the Panel found violations of former Supreme Court Rule 15.2 (1-4). Although evidence was taken, a Default had been entered for failure to timely answer the Formal Complaint.

APPROVED
ATTORNEY DISCIPLINE BOARD

A handwritten signature in black ink, appearing to read "John L. Cote", written over a horizontal line.

John L. Cote', Chairperson
for
David Baker Lewis, Secretary

August 30, 1979