

STATE OF MICHIGAN

Attorney Discipline Board

FILED
ATTORNEY DISCIPLINE BOARD

12 JAN 20 AM 9:24

GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner,

v

Case No. 11-16-GA

RODNEY W. SABOURIN, P 23760,

Respondent.

ORDER AFFIRMING HEARING PANEL ORDER OF DISMISSAL

Issued by the Attorney Discipline Board
211 W. Fort St., Ste. 1410, Detroit, MI

The formal complaint alleging various misconduct, including false statements to a tribunal and to a disciplinary authority, was dismissed after hearing by Tri-Valley Hearing Panel #2 which found that the allegations of the formal complaint had not been proven by a preponderance of the evidence. The Grievance Administrator has petitioned for review of the dismissal of Counts Two and Three.

The Attorney Discipline Board has conducted review proceedings in accordance with MCR 9.118, including a careful review of the record before the panel and consideration of the briefs and arguments presented by the parties at a review hearing conducted November 9, 2011.

The Board has concluded that there is ample evidentiary support for the hearing panel's findings. The allegations of the formal complaint were not established by a preponderance of the evidence. Further, we find no support whatsoever for the Administrator's claims of bias on the part of the panel. To the contrary, the record shows that the panel was liberal in admitting evidence offered by the Administrator over the respondent's objections. That the panel understood what evidence might have established the Administrator's claims, and made reference to such evidence to illustrate the deficiency of the proofs here does not establish bias or the improper resort to facts outside the record to support the decision.

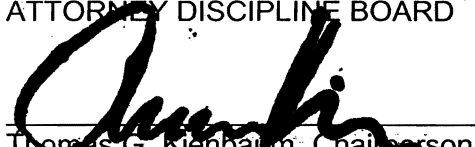
NOW THEREFORE,

IT IS ORDERED that the hearing panel's order of dismissal issued July 12, 2011, is **AFFIRMED**.

DATED: January 20, 2012

By:

ATTORNEY DISCIPLINE BOARD


Thomas G. Kienbaum, Chairperson

Board members Thomas G. Kienbaum, James M. Cameron, Jr., Rosalind E. Griffin, M.D., Andrea L. Solak, Carl E. Ver Beek, Craig H. Lubben, Sylvia P. Whitmer, Ph.D, Lawrence G. Campbell, and Dulce M. Fuller concur in this decision.