

Attorney Discipline Board

GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner,
v

Case Nos. 08-94-AI; 08-119-JC

ANTHONY A. MURASKI, P 31462,

Respondent.
_____ /

ORDER AFFIRMING HEARING PANEL ORDER OF REVOCATION

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

Respondent, Anthony A. Muraski, petitioned the Attorney Discipline Board for review of an order of revocation issued by Washtenaw County Hearing Panel #5 on November 14, 2008. The hearing panel's order was based upon respondent's conviction of two felony counts of health care fraud in violation of MCL 752.1003(1). In its report, the hearing panel considered the evidence submitted by the parties in support of mitigating and aggravating factors to be weighed in accordance with the American Bar Association's Standards for Imposing Lawyer Sanctions, including respondent's previous suspension from the practice of law in the matter of Grievance Administrator v Anthony A. Muraski, ADB Case No. 94-233-GA, and the mitigating effect, if any, of respondent's testimony and unsworn letters from his psychiatrist and his therapist concerning a mental or physical impairment. The Board has conducted review proceedings in accordance with MCR 9.118, which included review of the record below and consideration of the briefs and arguments submitted by the parties, and the Board is otherwise fully advised,

NOW THEREFORE,

IT IS ORDERED that the hearing panel order of revocation entered November 14, 2008 is **AFFIRMED** for the reason that respondent has not shown that the hearing panel erred in its consideration of the evidence presented, or in its ultimate conclusion as to the appropriate level of discipline; and respondent has further failed to establish that he should be permitted to reopen or supplement the record before the panel by presenting additional evidence of a psychiatric evaluation.

The hearing panel order of revocation, issued November 14, 2008, assessed costs in the amount of \$2,060.71. Respondent requested a payment plan and the Board issued an order granting a temporary payment plan on January 14, 2009, directing respondent to pay \$100.00 per month commencing February 2, 2009, and on the second day of each month thereafter, until further order of the Board. Additional costs have been incurred for the transcript of the review proceedings conducted on March 11, 2009, in the amount of \$120.00, for a total amount assessed of \$2,180.71. Respondent has made two \$100.00 payments and his current balance is **\$1,980.71**. The Board

has reviewed the respondent's request for a payment plan, along with the Grievance Administrator's answer to respondent's financial hardship, and is otherwise fully advised;

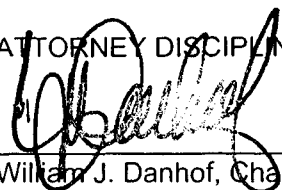
IT IS FURTHER ORDERED that the order granting a temporary payment plan, issued on January 14, 2009, will now be considered a permanent payment plan. Respondent shall continue payments as ordered at the rate of \$100.00 per month, due on the second day of each month thereafter with a final payment of \$80.71 due on or before November 2, 2010. Respondent's next scheduled payment is due April 2, 2009.

If any of the installment payments are over five business days late, this payment plan will be vacated and a certification of non-payment will be issued.

Check or money order shall be made payable to the State Bar of Michigan, but submitted to the Attorney Discipline Board [211 West Fort St., Ste. 1410, Detroit, MI 48226] for proper crediting. (See attached instruction sheet).

ATTORNEY DISCIPLINE BOARD

By:



William J. Danhof, Chairperson

DATED: March 20, 2009

Board members William J. Danhof, Thomas G. Kienbaum, Andrea L. Solak, Rosalind E. Griffin, M.D., Carl E. Ver Beek, Craig H. Lubben and James M. Cameron, Jr., concur in this decision.

Board members William L. Matthews, C.P.A. and Billy Ben Baumann, M.D., did not participate.