

NOTICE OF REVOCATION

Case Nos. 91-184-GA; 91-269-FA

Timothy A. Wright, P37471, Monroe and Erie, Michigan, by the Attorney Discipline Board modifying a hearing panel order of revocation.

- 1) Revocation;
- 2) Effective January 9, 1992.

Respondent failed to answer the formal complaint and failed to appear at the hearings held in Detroit on January 7 and February 21, 1992. Respondent's default was entered and the panel determined that the default established the allegations of the formal complaint.

Respondent was retained in to represent a client in a child custody matter, but failed to take any action on his client's behalf; failed to communicate with his client; and failed to refund the unearned retainer fee. Respondent failed to return a file belonging to another client; and failed to answer two requests for investigation.

Respondent's conduct was found to be in violation of MCR 9.104(1-4,7); MCR 9.113(A)and(B)(2); and the Michigan Rules of Professional Conduct, I.I(c); 1.3; 1.4; 1.16(d); 8.1(b); 8.4(a,c).

In its report on discipline, the panel noted respondent's failure to cooperate in these proceedings and his failure to comply with the terms of four prior discipline orders. The panel entered an interim order of revocation effective January 9, 1992, and filed its report and final order of revocation on February 3, 1992. The panel denied a motion filed by the Grievance Administrator seeking reconsideration of a provision in the panel's order directing the Administrator to seek the appointment of a receiver pursuant to MCR 9.119(G) to make certain that files and monies are returned to respondent's clients. Costs were assessed in the amount of \$178-70, and respondent was ordered to return all unearned fees to clients for legal services not performed.

The Grievance Administrator filed a petition for review seeking review of the requirement that the Administrator institute receivership proceedings. In an order and opinion issued on August 11, 1992, the Attorney Discipline Board modified the panel's order of revocation, vacating the provision requiring that the Administrator report to the panel all efforts to enforce all discipline orders against this respondent and vacating the provision requiring the Administrator to exercise the powers under MCR 9.127(B) and MCR 9.119.

NOTE: Respondent has been continuously suspended from the practice of law in Michigan since May 7, 1991.