

NOTICE OF INCREASED SUSPENSION

Case No. 93-57-JC

Robert L. Wiggins, Jr., P-32359, Bingham Farms, Michigan, by the Attorney Discipline Board modifying a hearing panel order of suspension for sixty days.

- 1) Suspension - 120 days;
- 2) Effective November 9, 1993.

Respondent was convicted of the misdemeanor of resisting/obstructing a police officer in violation of MCL 750.479-B. Upon the filing of the Judgment of Conviction, the matter was assigned to Tri-County Hearing Panel #79, in accordance with MCR 9.120. As the result of his conviction, respondent was remanded to the Oakland County Jail on October 13, 1993 and allowed to commence a work-release program on December 13, 1993. On November 9, 1993, the panel ordered that respondent's license be suspended for sixty days commencing October 13, 1993, to run concurrently with his incarceration.

The Grievance Administrator filed a petition for review seeking increased discipline. On April 4, 1994, the Attorney Discipline Board modified the panel's November 9, 1993 order by increasing discipline to a 120-day suspension and until compliance with MCR 9.123(B) and MCR 9.124. The suspension is deemed to have commenced November 9, 1993. In computing the 120-day suspension, respondent was given credit for the sixty-one day period from November 9, 1993 to the date of his automatic reinstatement (pending appeal) on January 10, 1994. The Board further ordered that the remaining period of suspension commence twenty-one days after the mailing of its order.

Respondent filed an application for leave to appeal with the Michigan Supreme Court, which created an automatic stay of discipline pursuant to MCR 9.122(C). On October 28, 1994, the Court denied the application for leave to appeal and ordered that the stay remain in effect until 21 days after the date of that order. The remaining period of suspension is deemed to have commenced November 19, 1994.

Costs were assessed in the total amount of \$698.33.