

NOTICE OF REPRIMAND

Case No. 98-23-GA

David Paul Morreale, P-31647, St. Clair Shores, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #102.

- 1) Reprimand;
- 2) Effective August 22, 1998.

Respondent represented the complainant on appeal of a Second Degree Murder conviction. The panel found, by a preponderance of the evidence, that respondent failed to inform the complainant that he was not making an oral argument in the Court of Appeals on her behalf, although he had previously requested oral argument with the filing of the Brief on Appeal. The panel further found, based on respondent's admission, that respondent failed to provide to the Court of Appeals the transcript of the hearing of the complainant's motion to strike the testimony of the prosecutor's expert medical witness, which was reasonably necessary to the Court of Appeals' review of the issue of whether the trial court erred by permitting that testimony. Respondent's conduct was found to be in violation of Michigan Rules of Professional Conduct 1.1(c) and 1.4(b).

The panel ordered that respondent be reprimanded. Costs were assessed in the amount of \$1,133.08.

