

## **NOTICE OF SUSPENSION AND RESTITUTION**

Case No. 99-127-GA

Issued: February 25, 2000

Steven W. Simmons, P-55624, Royal Oak, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #66.

1. Suspension - 180 Days
2. Effective February 22, 2000

The hearing panel found that respondent commingled client funds with his own by depositing settlement proceeds in the amount of \$5,000.00 into an account not identified as a client trust account. Respondent paid a portion of the transcript costs incurred prior to settlement. However, the account was depleted while the remaining transcript costs were unpaid. The hearing panel found that the depletion constituted a misappropriation of \$2,073.36. The panel further found that respondent failed to timely respond to a request for investigation served by the Attorney Grievance Commission.

The panel concluded that respondent's conduct violated MCR 9.104(1) - (4) and (7); MCR 9.113(B)(2) and Michigan Rules of Professional Conduct: 1.15(a)-(c); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law for a period of 180 days. The panel further ordered respondent to make restitution in the amount of \$2,073.36. Costs were assessed in the amount of \$390.50.