

Automatic Reinstatements

Donnelly W. Hadden, P14507, Ann Arbor, effective August 31, 2016.

The respondent was suspended from the practice of law in Michigan for 45 days, effective July 12, 2016. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit of compliance with the Michigan Supreme Court on August 30, 2016.

The grievance administrator has filed a petition for review seeking an increase in discipline, and this matter has been scheduled for hearing before the Attorney Discipline Board on October 19, 2016.

Jermaine A. Wyrick, P54352, Southfield.

The respondent was suspended from the practice of law in Michigan for 30 days with

conditions, effective July 22, 2016. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit with the clerk of the Michigan Supreme Court.

Reprimands (By Consent)

Joseph C. Bird, P33178, Birmingham, by the Attorney Discipline Board, Tri-County Hearing Panel #64, effective August 31, 2016.

The respondent and the grievance administrator filed a stipulation for a consent order of discipline in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contains the respondent's admissions to the allegations contained in the formal complaint that he committed professional

misconduct as the result of his improper use of an IOLTA account from February 2014 through August 2014; and by placing settlement funds into a business account instead of an IOLTA account.

Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent held funds other than client or third-person funds in an IOLTA account, in violation of MRPC 1.15(a)(3); failed to deposit all client or third-person funds in an IOLTA account or non-IOLTA account and failed to hold property of his clients or third persons separate from his own, in violation of MRPC 1.15(d); and deposited his own funds into an IOLTA account in excess of the amount reasonably necessary to pay financial institution service charges or fees or to obtain a waiver of service charges or fees, in violation of MRPC 1.15(f). The respondent was also found to have violated MCR 9.104(2)-(4) and MRPC 8.4(a). In finding misconduct, the panel acknowledges paragraph eight of the stipulation for a consent order of discipline, which states that "there is no evidence of misappropriation or misuse of client funds."

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded and subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$811.51.

Thomas R. Warnicke, P47148, Beverly Hills, by the Attorney Discipline Board, Tri-County Hearing Panel #76, effective September 9, 2016.

The respondent and the grievance administrator filed a stipulation for a consent order of discipline in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contains the respondent's admissions to the allegations that he committed professional misconduct as the result of his improper use of an IOLTA account from June 2014 through March 2015.

Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent held funds other than client or third-person funds in an IOLTA account, in violation of MRPC 1.15(a)(3); failed to hold property of his clients or third persons separate from his own, in violation of MRPC 1.15(d); deposited his

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own funds (earned fees) into an IOLTA account in excess of the amount reasonably necessary to pay financial institution service charges or fees or to obtain a waiver of service charges or fees, in violation of MRPC 1.15(f); engaged in conduct that was contrary to ethics, in violation of MCR 9.104(3); and engaged in conduct that was in violation of the Michigan Rules of Professional Conduct, contrary to MRPC 8.4(a) and MCR 9.104(4). In entering this finding of misconduct, the panel acknowledged the statement contained in paragraph eight of the stipulation for a consent order of discipline that "there is no evidence of misappropriation or misuse of client funds."

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$757.57.

Suspension and Restitution With Conditions (Pending Appeal)

Thomas J. Shannon, P35152, Grosse Pointe, by the Attorney Discipline Board, Tri-County Hearing Panel #14, for two and a half years, effective August 27, 2016.¹

The respondent filed an answer to the formal complaint and appeared at the public hearings. The panel found that the respondent committed acts of professional misconduct by accepting a new retainer from a new client in a matter after an order suspending the respondent's license to practice law for 90 days was issued; failing to disclose that he was subject to a suspension order in his representation of three separate clients in lawsuits against each of their former employers; and filing an affidavit for automatic reinstatement which falsely stated that he had no active clients after the issuance of an order of suspension, and falsely stated that he did not accept any new retainers after the entry of the order of suspension. The respondent's conduct was in violation of MCR 9.104(1)–(4), and (9); MCR 9.119(A)–(B), (D) and (E)(4); MCR 9.123(A); and MRPC 8.4(a)–(c).

The panel ordered that the respondent's license to practice law in Michigan be suspended for two and a half years; that he pay restitution in the amount of \$1,500; and that he be subject to a condition relevant to the established misconduct. The grievance administrator filed a petition for review on August 23, 2016, seeking an increase in

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discipline. The respondent filed a petition for review on August 26, 2016, but did not file a request for a stay of discipline. Therefore, this matter will be scheduled for hearing before the Attorney Discipline Board.

1. The respondent has been continuously suspended from the practice of law in Michigan since September 21, 2015. Please see Notice of Interim Suspension Pursuant to MCR 9.115(H)(2), issued September 23, 2015.

Automatic Interim Suspension

James L. Lindon, P64433, Avon, Ohio, effective June 16, 2016.

On June 16, 2016, the respondent was convicted of 4th degree theft of Hydrocodone, a felony, in violation of ORC Sec. 2913.02(A)(1); 5th degree drug possession, to wit: Hydrocodone, a Schedule II drug, equaling less than bulk amount, a felony, in violation of ORC Sec. 2925.11(A); and 3rd degree tampering with evidence, a felony, in violation of ORC Sec. 2921.12(A)(1) in Cuyahoga County, Ohio Court of Common Pleas. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on the date of his felony conviction.

Upon the filing of a judgment of conviction, this matter will be assigned to a hearing panel for further proceedings. The interim suspension will remain in effect until the effective date of an order filed by a hearing panel.

Suspensions (By Consent)

Lisa Clarke, P69639, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #61, for 30 days, effective October 1, 2016.

The respondent and the grievance administrator filed a stipulation for a consent order of discipline in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contains the respondent's admissions to the allegations that she committed professional misconduct as the result of her improper use of an IOLTA account from January 2015 through August 2015.

Based on the respondent's admissions and the stipulation of the parties, the panel finds that the respondent held funds other than client or third-person funds in an IOLTA account, in violation of MRPC 1.15(a)(3); and failed to hold property of her clients or third persons separate from her own, in violation of MRPC 1.15(d). The respondent was also found to have violated MCR 9.104(2) and MRPC 8.4(a).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 30 days. Costs were assessed in the amount of \$765.02.

Matthew David Herman, P74872, Grand Rapids, by the Attorney Discipline Board, Kent Hearing Panel #3, for 30 days, effective August 24, 2016.

The respondent and the grievance administrator filed an amended stipulation for a consent order of discipline in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The amended stipulation contains the respondent's admissions to the allegations contained in the formal complaint that he committed professional misconduct in his representation of a

client in a criminal matter when he signed the assistant prosecuting attorney's name to a stipulation to adjourn a sentencing hearing for 45 days when he knew that he did not have the authority to do so.

Based on the stipulation of the parties, the panel found that the respondent made a false statement of material fact or law to a tribunal, in violation of MRPC 3.3(a)(1); and knowingly made a false statement of material fact or law to a third person, in violation of MRPC 4.1. The respondent was also found to have violated MCR 9.104(1)-(4) and MRPC 8.4(a)-(c).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 30 days. Costs were assessed in the amount of \$764.13.

Thomasine Jefferson, P42872, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #2, for 30 days, effective September 1, 2016.

The respondent and the grievance administrator filed an amended stipulation for a consent order of discipline in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contains the respondent's admissions to the allegations that she committed professional misconduct as the result of her improper use of an IOLTA account from June 2013 through November 2013.

Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent held funds other than client or third-person funds in an IOLTA, in violation of MRPC 1.15(a)(3); failed to hold property of her clients or third persons separate from her own and in an IOLTA, in violation of MRPC 1.15(d); deposited her own funds into an IOLTA in an amount more than reasonably necessary to pay financial institution charges or fees, in violation of MRPC 1.15(f); and engaged in conduct in violation of the Michigan Rules of Professional Conduct, contrary to MRPC 8.4(a). In entering this finding of misconduct, the panel acknowledges the statement contained in paragraph 6d of the stipulation for a consent order of discipline that the respondent did not improperly use, convert, or misappropriate client funds.

In accordance with the stipulation of the parties, the hearing panel ordered that the

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respondent's license to practice law in Michigan be suspended for 30 days and that the respondent be required to pay \$3,192 to a judgment creditor. Costs were assessed in the amount of \$1,671.31.

Interim Suspension Pursuant to MCR 9.115(H)(1)

Matthew R. Miller, P74612, Kalamazoo, by the Attorney Discipline Board, Kalamazoo County Hearing Panel #3, effective August 23, 2016.

After being properly served with the formal complaint, notice of filing of judgment of conviction, and the notice of hearing, the respondent failed to personally appear at the July 28, 2016 hearing. After satisfactory proofs were entered that the respondent possessed actual notice of the proceedings, the hearing panel, in accordance with MCR 9.115(H)(1), determined that the respondent's failure to appear warranted an interim suspension from the practice of law until further order of the panel.

On August 16, 2016, the panel issued an order of suspension pursuant to MCR 9.115(H)(1), effective August 23, 2016, and until further order of the panel or the Board.

Amended Suspension With Condition (Pending Appeal)

Alexander Melnikov, P73960, Farmington Hills, by the Attorney Discipline Board, Tri-County Hearing Panel #67, for 180 days, effective August 19, 2016.

The respondent was convicted, by guilty plea, of two counts of disturbing the peace (misdemeanors), in violation of MCL 750.170, and assault and battery (misdemeanor), in violation of MCL 750.81, in the Oakland County Circuit Court. Based on these convictions, the panel found that the respondent violated the criminal laws of the state of Michigan, contrary to MCR 9.104(5).

Additionally, based on the respondent's default for failing to answer the formal complaint, the panel found that he engaged in conduct involving a violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, contrary to MRPC 8.4(b); and violated MCR 9.104(2)-(4), and MRPC 8.4(a).

The panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days and that he be subject to a condition relevant to the established misconduct. The respondent filed a petition for review on August 18, 2016, but did not file a request for a stay of discipline. Total costs were assessed in the amount of \$1,988.27.

Transfer to Inactive Status Pursuant to MCR 9.121(B) (By Consent)

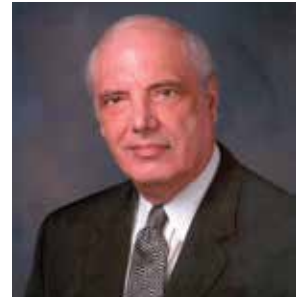
Jared Thomas Green, P76648, Ferndale, by the Attorney Discipline Board, Tri-County Hearing Panel #15, effective September 6, 2016.

The grievance administrator filed Consolidated Formal Complaint 15-95-PI; 15-96-GA, which included allegations that the respondent is incapacitated and cannot continue the practice of law pursuant to MCR 9.121(B). Additionally, the respondent was convicted by guilty plea of operating while impaired (misdemeanor), in violation of MCL 257.6253(A), in the 64-A District Court. The Board issued an order appointing counsel for the respondent.

The grievance administrator and the respondent, through their respective counsel, filed an amended stipulation on August 15, 2016, agreeing that the respondent is currently incapacitated and unable to engage in the practice of law, and that he be transferred to inactive status and until such time as he may be reinstated in accordance with MCR 9.121(E). The amended stipulation further contained the parties' agreement that the charges of misconduct contained in the Amended Formal Complaint, filed June 8, 2016, as well as the Judgments of Conviction, filed August 27, 2015, be dismissed without prejudice to re-filing in the event that the respondent is reinstated to the practice of law.

On September 6, 2016, Tri-County Hearing Panel #15 issued an order transferring the respondent's license to inactive status pursuant to MCR 9.121(B) for an indefinite period and until further order of the Board.

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