

Automatic Reinstatements

Joseph Edward Ernst, P69274, Holt.

The respondent was suspended from the practice of law in Michigan for 30 days, effective December 14, 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 on January 13, 2017.

Douglas A. McKinney, P35430, Auburn Hills.

The respondent was suspended from the practice of law in Michigan for 30 days, effective December 30, 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 on February 1, 2017.

Catherine M. O'Meara, P53823, Eastpointe.

The respondent was suspended from the practice of law in Michigan for 30 days, effective December 16, 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 on January 23, 2017.

Ray A. Paige, P41848, Detroit.

The respondent was suspended from the practice of law in Michigan for 30 days, effective December 21, 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 on January 23, 2017.

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DUTY TO REPORT AN ATTORNEY'S CRIMINAL CONVICTION

All Michigan attorneys are reminded of the reporting requirements of **MCR 9.120(A)** when a lawyer is convicted of a crime:

What to Report:

A lawyer's conviction of any crime, including misdemeanors. A conviction occurs upon the return of a verdict of guilty or upon the acceptance of a plea of guilty or no contest.

Who Must Report:

Notice must be given by all of the following:

1. The lawyer who was convicted;
2. The defense attorney who represented the lawyer; and
3. The prosecutor or other authority who prosecuted the lawyer.

When to Report:

Notice must be given by the lawyer, defense attorney, and prosecutor within **14 days** after the conviction.

Where to Report:

Written notice of a lawyer's conviction must be given to:

Grievance Administrator
Attorney Grievance Commission
Buhl Building, Ste. 1700
535 Griswold, Detroit, MI 48226
and

Attorney Discipline Board
211 W. Fort Street, Ste. 1410
Detroit, MI 48226

Automatic Reinstatement for Payment of Costs

Donald A. Winningham, P66705, Farmington.

In accordance with MCR 9.128(D), the respondent's license to practice law in Michigan was automatically suspended on January 13, 2017, for failure to pay costs as ordered in *Grievance Administrator v Donald A. Winningham*, Case No. 16-108-JC, and until payment of costs and the filing of affidavits of compliance in accordance with MCR 9.119 and 9.123(A).

The costs have been reimbursed to the State Bar of Michigan and, in accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit of compliance with the clerk of the Michigan Supreme Court on January 17, 2017.

Reprimand

Helen Kaminski, P44569, Denver, Colorado, by the Attorney Discipline Board, effective January 31, 2017.

In a reciprocal discipline proceeding under MCR 9.120(C), the grievance administrator filed a certified copy of a Supreme Court of the State of Colorado Order

Approving Conditional Admission of Misconduct and Imposing Sanctions under C.R.C.P. 251.22, issued and effective on September 30, 2016, publicly censuring the respondent (*In the Matter of Helen Kaminski*, Case No. 16PDJ045).

An order regarding imposition of reciprocal discipline was served on the respondent on December 8, 2016. The 21-day period referenced in MCR 9.120(C)(2)(b) expired without objection by either party and the respondent was deemed to be in default. Based on that default, the Attorney Discipline Board ordered that the respondent be reprimanded. Costs were assessed in the amount of \$1,500.

Reprimand and Restitution (By Consent)

Jeffrey G. Bennett, P43946, Ann Arbor, by the Attorney Discipline Board, Washtenaw County Hearing Panel #3, effective January 31, 2017.

The grievance administrator filed a formal complaint alleging that the respondent committed professional misconduct during his representation of a client in a real property dispute. 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.

Based on the respondent's admissions and the stipulation of the parties, it was established that the respondent neglected a legal matter, in violation of MRPC 1.1(c); and failed to keep his client reasonably informed about the status of his matter and to promptly comply with reasonable requests for information, in violation of MRPC 1.4(a).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded and pay restitution totaling \$3,140. Costs were assessed in the amount of \$2,189.88.

Reprimand With Conditions (By Consent)

Gregory S. Pierce, P45552, Orchard Lake, by the Attorney Discipline Board, Tri-County Hearing Panel #53, effective January 26, 2017.

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AUTHOR: PATRICK T. BARONE

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Barone Defense Firm appears in their companion *America's Best Law Firms*. He has been rated "Seriously Outstanding" by *Super Lawyers*, rated "Outstanding/10.0" by *AVVO*, and has recently been rated as among the top 5% of Michigan's lawyers by *Leading Lawyers* magazine. Mr. Barone is the principal and founding member of The Barone Defense Firm, whose practice is limited exclusively to DUI cases including those involving injury or death.

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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 contained the respondent's admission that he was convicted in a matter titled *People of the Township of West Bloomfield v Gregory Scott Pierce*, 48th District Court Case No. 116WB01133, of operating a vehicle while impaired, a misdemeanor. Based on the respondent's convictions and his admission in the Stipulation for Consent Order of Reprimand (With Condition), it was established that the respondent engaged in conduct that violated the criminal laws of the state of Michigan, contrary to MCR 9.104(5).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Additionally, the panel ordered that the respondent be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$756.96.

Suspension

Robert R. Lech, P45351, Dublin, Ohio, by the Attorney Discipline Board, for 90 days, effective January 31, 2017.

In a reciprocal discipline proceeding under MCR 9.120(C), the grievance administrator filed a certified copy of a final order entered by the United States Patent and Trademark Office, effective October 3, 2016, suspending the respondent's license to practice law before the office for 90 days (*In the Matter of Robert R. Lech*, Proceeding No. D201634).

An order regarding imposition of reciprocal discipline was served on the respondent on December 8, 2016. The 21-day period referenced in MCR 9.120(C)(2)(b) expired without objection by either party and the respondent was deemed to be in default. Based on that default, the Attorney Discipline Board ordered that the respondent's license to practice law in Michigan be suspended for 90 days. Costs were assessed in the amount of \$1,500.

Automatic Interim Suspension

Kevin Rieman, P45548, Bay City, effective January 31, 2017.¹

On January 31, 2017, the respondent was convicted of three felonies: embezzlement, contrary to MCL 750.174(5)(a); uttering and publishing, contrary to MCL 750.249; and forgery, contrary to MCL 750.248, in the matter of *People v Kevin John Rieman*, Bay Circuit Court Case No. 15-010218-FH. Upon issuance of the verdict by the court, the respondent was convicted and, in accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended.

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.

1. The respondent has been unable to practice law as of September 18, 2015, by way of an order of injunction issued by the Michigan Supreme Court.

Suspension (By Consent)

Charles R. Desotelle, P46236, Flint, by the Attorney Discipline Board, Genesee County Hearing Panel #4, for 30 days, effective January 31, 2017.

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. 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 his clients or third persons separate from his own, in violation of MRPC 1.15(d); and deposited his own funds into an IOLTA 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) and (4); 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 \$875.56.

Automatic Suspension for Nonpayment of Costs

Donald A. Wunningham, P66705, Farmington Hills, effective January 13, 2017.

In *Grievance Administrator v Donald A. Wunningham*, Case No. 16-108-JC, an Order of Reprimand (By Consent) was issued on December 8, 2016. Additionally, the respondent was ordered to pay costs by December 30, 2016. The respondent has failed to pay the costs as ordered.

In accordance with MCR 9.128(D), the respondent's license to practice law in Michigan was automatically suspended on January 13, 2017, and, pursuant to MCR 9.128, that suspension will remain in effect until the costs have been paid and the respondent has complied with MCR 9.119 and 9.123(A).

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

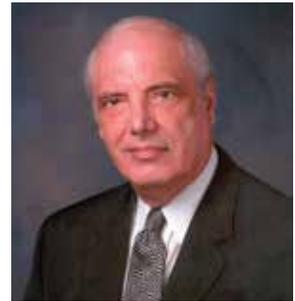
Michael R. Josey, P36364, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #9, effective January 24, 2017.

The respondent failed to appear at the January 12, 2017 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), issued an order of suspension on January 17, 2017, effective January 24, 2017, and until further order of the panel or the Board.

Matthew John Stephens, P74424, Okemos, by the Attorney Discipline Board, Ingham County Hearing Panel #6, effective January 26, 2017.

The respondent failed to appear at the January 17, 2017 hearing. On January 19, 2017, the hearing panel, in accordance with MCR 9.115(H)(1), issued an order of suspension effective January 26, 2017, and until further order of the panel or the Board.

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