

Attorney Discipline Board

2024-Feb-20

GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner/Appellant,

v

Case Nos. 23-22-JC; 23-23-GA

DONALD J. NEVILLE, P 60213,

Respondent/Appellee.

**BOARD ORDER INCREASING DISCIPLINE FROM A 181-DAY SUSPENSION
TO DISBARMENT, AFFIRMING CONDITIONS, AND AFFIRMING RESTITUTION**

Issued by the Attorney Discipline Board
333 W. Fort St., Ste. 1700, Detroit, MI

Tri-County Hearing Panel #12 issued an Order of Suspension and Restitution with Condition on July 10, 2023, suspending respondent's license to practice law for a period of 181 days, effective July 7, 2023. The order included payment of restitution and conditions relevant to the established misconduct. On July 13, 2023, the Grievance Administrator petitioned the Attorney Discipline Board for review of the hearing panel's order as to the level of discipline.

The Attorney Discipline Board has conducted a virtual/in-person hybrid review proceeding in accordance with MCR 9.118, which included a review of the record before the hearing panel and consideration of the argument and brief presented by the Grievance Administrator. Although not required to do so, respondent did not file a response to the petition for review. Further, respondent failed to appear at the review hearing, either in person or via Zoom videoconferencing, in violation of MCR 9.118(C)(1), and was not otherwise excused by the Board. For the reasons discussed in the attached opinion, discipline is increased to disbarment, the restitution provision is affirmed, and the conditions imposed by the hearing panel are affirmed.

NOW THEREFORE,

IT IS ORDERED that discipline in this case is increased from a suspension of 181 days to **DISBARMENT EFFECTIVE July 7, 2023**, and until further order of the Supreme Court, the Attorney Discipline Board or a hearing panel, and until respondent complies with the requirements of MCR 9.123(B) and (C) and MCR 9.124.

IT IS FURTHER ORDERED that respondent shall comply with all applicable provisions of MCR 9.119.

IT IS FURTHER ORDERED that the conditions imposed by Tri-County Hearing Panel #12 in the July 10, 2023 order are **AFFIRMED**.

IT IS FURTHER ORDERED that restitution in the amount of \$2,500.00 to Darla Afrin, \$2,735.00 to Shannon Lara, \$2,600.00 to Nicole Parm, and \$500 to Michael Killinger, as ordered by Tri-County Hearing Panel #12, is **AFFIRMED**. Respondent shall file written proof of payment with the Attorney Grievance Commission and the Attorney Discipline Board within 10 days of the payment of restitution.

IT IS FURTHER ORDERED that respondent shall not be eligible for reinstatement in accordance with MCR 9.123(B) unless he has fully complied with the restitution provisions of this order.

IT IS FURTHER ORDERED that respondent shall, on or before **March 20, 2024**, pay costs incurred by the Attorney Discipline Board for the transcript of the review proceedings conducted on October 18, 2023, in the amount of **\$159.00**. This amount is in addition to the costs previously assessed in a hearing panel order dated September 29, 2023, together with interest pursuant to MCR 9.128. Total costs assessed and owed are **\$3,389.39**. Please refer to the attached cost payment instruction sheet for method and forms of payment accepted.

ATTORNEY DISCIPLINE BOARD

By: 

Alan Gershel, Chairperson

Dated: February 20, 2024

Board members Alan Gershel, Rev. Dr. Louis J. Prues, Linda M. Orlans, Jason M. Turkish, Andreas Sidiropoulos, MD, Katie Stanley, Tish Vincent, and Kamilia Landrum concur in this decision.

Board member Peter A. Smit was absent and did not participate in this decision.