

STATE OF MICHIGAN

Attorney Discipline Board

FILED
ATTORNEY DISCIPLINE BOARD

2023-Jun-29

GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner-Appellee,

v

Case No. 22-77-GA

BRIAN T. DAILEY, P 39945,

Respondent-Appellant.

ORDER DENYING PETITION FOR INTERLOCUTORY REVIEW

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

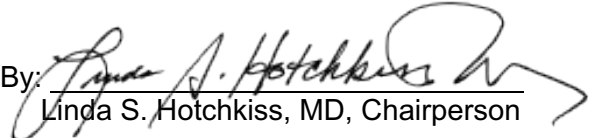
Respondent filed a Petition Seeking Interlocutory Review of the Hearing Panel's Order of March 7, 2023, seeking interlocutory review of the hearing panel's order denying respondent's motions to dismiss brought under MCR 2.116(C)(10) and based on the doctrine of laches. The Grievance Administrator filed a response objecting to respondent's petition for interlocutory review on April 17, 2023. Respondent filed a reply to the Administrator's response on April 24, 2023.

The Attorney Discipline Board has considered the pleadings and positions of the parties, as referenced above, and is otherwise fully advised;

NOW THEREFORE,

IT IS ORDERED that respondent's petition for interlocutory review of the hearing panel's order denying his motions to dismiss is **DENIED**. The Board is not persuaded that it should undertake interlocutory review of the hearing panel's order prior to the entry of an order of dismissal or discipline under MCR 9.115(J), or that respondent will suffer substantial harm by awaiting final judgment before taking an appeal.

ATTORNEY DISCIPLINE BOARD

By: 
Linda S. Hotchkiss, MD, Chairperson

Dated: June 29, 2023

Board members Linda S. Hotchkiss, MD, Rev. Dr. Louis J. Prues, Peter A. Smit, Linda M. Orlans, Jason M. Turkish, Andreas Sidiropoulos, MD, Katie Stanley, and Tish Vincent concur in this decision.

Board Member Alan Gershel recused himself and did not participate.