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333 WEST FORT STREET, SUITE 1700
DETROIT, MICHIGAN 48226-3147
PHONE: 313-963-5553

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NOTICE OF SUSPENSION AND RESTITUTION
(By Consent)

Case No. 22-43-GA

Notice Issued: October 14, 2022

Phillip D. Comorski, P 46413, Detroit, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #9

Suspension - 90 Days, Effective October 13, 2022

Respondent and the Grievance Administrator filed a Stipulation for Consent Order 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 respondent's admissions that he committed professional misconduct in his representation of a client after he was retained and paid \$15,000, to file a motion for relief from judgment and any other available post conviction relief, including a federal habeas petition, on his client's behalf; that he failed to timely file the motion for relief from judgment on his client's behalf, and eventually stopped communicating with his client or updating him on the status of his case; and failed to advise him of the final outcome of his matter. The client utilized the prison law library to check the status of his case and discovered that his federal habeas petition had been denied and that respondent had filed an appeal on his behalf, without his approval.

Based upon respondent's admissions as set forth in the parties' stipulation, the panel found that respondent failed to competently represent his client, in violation of MRPC 1.1(a); failed to seek the lawful objectives of the client, in violation of MRPC 1.2(a); failed to act with diligence and promptness in representing a client, in violation of MRPC 1.3; failed to keep the client informed of the status of the matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); and, engaged in conduct that involved dishonesty, fraud, deceit, misrepresentation, where such conduct reflected adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b). The panel also found that respondent violated MCR 9.104(1)-(3).

In accordance with the stipulation of the parties, the hearing panel ordered that respondent's license to practice law in Michigan be suspended for 90 days and that he pay restitution in the total amount of \$7,000.00. Costs were assessed in the amount of \$926.63.