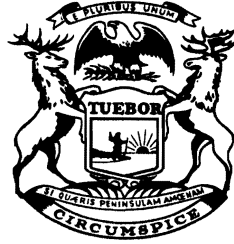


MEMBERS  
**LOUANN VAN DER WIELE**  
CHAIRPERSON  
**REV. MICHAEL MURRAY**  
VICE-CHAIRPERSON  
**DULCE M. FULLER**  
SECRETARY  
**JAMES A. FINK**  
**JOHN W. INHULSEN**  
**JONATHAN E. LAUDERBACH**  
**BARBARA WILLIAMS FORNEY**  
**KAREN D. O'DONOGHUE**  
**MICHAEL B. RIZIK, JR.**

STATE OF MICHIGAN  
**ATTORNEY DISCIPLINE BOARD**



211 WEST FORT STREET, SUITE 1410  
DETROIT, MICHIGAN 48226-3236  
PHONE: 313-963-5553 | FAX: 313-963-5571

**MARK A. ARMITAGE**  
EXECUTIVE DIRECTOR  
**WENDY A. NEELEY**  
DEPUTY DIRECTOR  
**KAREN M. DALEY**  
ASSOCIATE COUNSEL  
**SHERRY L. MIFSUD**  
OFFICE ADMINISTRATOR  
**ALLYSON M. PLOURDE**  
CASE MANAGER  
**OWEN R. MONTGOMERY**  
CASE MANAGER  
**JULIE M. LOISELLE**  
RECEPTIONIST/SECRETARY

[www.adbmich.org](http://www.adbmich.org)

**NOTICE OF DISBARMENT**

Case No. 16-66-GA

**Notice Issued: March 15, 2017**

James M. O'Briant, P 41156, Midland, Texas, by the Attorney Discipline Board Tri-County Hearing Panel #23.

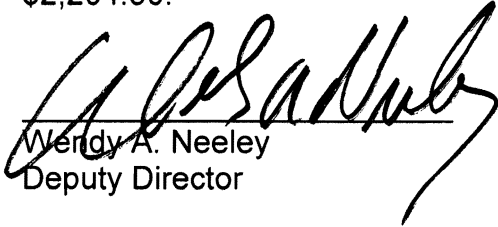
Disbarred, Effective February 9, 2017

Respondent filed an answer to the six-count formal complaint in which he admitted almost every allegation of misconduct. Subsequently, the Grievance Administrator filed a motion for summary disposition pursuant to MCR 2.116(C)(9) and MCR 9.115(A) moving for entry of judgment against respondent, the motion was unopposed by respondent, and then granted by the panel. Therefore, the hearing panel found that respondent engaged in the professional misconduct as set forth in all six counts of the formal complaint.

Specifically, the panel found that respondent handled a matter without preparation adequate in the circumstances, in violation of MRPC 1.1(b); neglected six legal matters, in violation of MRPC 1.1(c); failed to seek the lawful objective of a client, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a 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); failed to promptly render a full accounting of client funds upon request, in violation of MRPC 1.15(b)(3); failed to refund an advance payment of fee which was not earned, in violation of MRPC 1.16(d); made a false statement of material fact to a tribunal, in violation of MRPC 3.3(a)(1); failed to notify an active client of his suspension from the practice of law, in violation of MCR 9.119(A); and failed to file a notice of disqualification with a tribunal in which he represented a client in litigation, in violation of MCR 9.119(B). Respondent was also found to have violated MRPC 8.4(b) and (c), and MCR 9.104(1)-(3).

The panel ordered that respondent be disbarred from the practice of law in Michigan. Respondent filed a petition for reconsideration pursuant to MCR 9.118(E) and a petition for stay of discipline pursuant to MCR 9.115(K). Respondent clarified his motion,

upon request of the Board, as a motion for new trial pursuant to MCR 2.611. The motion was denied by the hearing panel. Given respondent's assertion that he was not seeking review by the Board, his request for a stay of the effective date of the order of disbarment under the provisions of MCR 9.115(K) was deemed moot and no further action was taken as to respondent's request in this regard. Costs were assessed in the amount of \$2,204.50.



Wendy A. Neeley  
Deputy Director