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NOTICE OF SUSPENSION WITH CONDITION

Case Nos. 15-144-JC; 15-145-GA

Notice Issued: March 27, 2017

Alexander Melnikov, P 73960, Hallendale, Florida, by the Attorney Discipline Board Tri-County Hearing Panel #67.

Suspension - 180 Days, Effective August 19, 2016

Respondent was convicted, by guilty plea, of two counts of disturbing the peace (misdemeanors), in violation of MCL 750.170, and assault and battery (misdemeanor), in violation of MCL 750.81, in the Oakland County Circuit Court. Based on these convictions, the panel found that respondent violated the criminal laws of the State of Michigan, contrary to MCR 9.104(5). Additionally, based on respondent's default for failing to answer the formal complaint, the panel found that respondent violated or attempted to violate the Rules of Professional Conduct, contrary to MRPC 8.4(a) and MCR 9.104(4); engaged in conduct involving a violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and, engaged in conduct that is contrary to justice, ethics, honesty or good morals, in violation of MCR 9.104(3).

The panel ordered that respondent's license to practice law in Michigan be suspended for 180 days and that he be subject to a condition relevant to the established misconduct. Respondent petitioned for review seeking a one day decrease in the suspension imposed by the hearing panel on the basis that it is "inconsistent" with the American Bar Association Standards for Imposing Lawyer Sanctions (ABA Standards) and the Michigan Supreme Court's opinion in *Grievance Administrator v Lopatin*, 462 Mich 235; 612 NW2d 120 (2000). Respondent did not file a request for a stay of discipline, thus his suspension went into effect on August 19, 2016.

The Attorney Discipline Board has conducted review proceedings in accordance with MCR 9.118, including review of the evidentiary record before the panel, consideration of the parties' briefs and arguments presented by the parties at the review hearing. The Board affirmed the hearing panel's order of a 180-day suspension of respondent's license to practice law, along with the condition that respondent be subject to a condition relevant to the established misconduct. Costs were assessed in the amount of \$2,123.94.


Mark A. Armitage
Executive Director