DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

Lee M. Hymerling, Esq., Chair Rocky L. Peterson, Esq., Vice-Chair Matthew P. Boylan, Esq. Hon. Warren Brody Ruth Jean Lolla Mary J. Maudsley, Esq. William J. O'Shaughnessy, Esq. Barbara F. Schwartz Spencer V. Wissinger, III

* **,** ¥ , 9.5



Richard J. Hughes Justice Complex P. O. Box 962 Trenton, New Jersey 08625-0962 (609) 292-1011

June 21, 2000

ROBYN M. HILL CHIEF COUNSEL

· ISABEL FRANK

LILLIAN LEWIN DONA S. SEROTA-TESCHNER COLIN T. TAMS ELLEN A. BRODSKY JOANN G. EYLER ASSISTANT COUNSEL

Certified Mail - R.R.R. and Regular Mail

Michael A. Nelson, Esq. 77 Paterson Street New Brunswick, NJ 08901

> Re: In the Matter of Michael A. Nelson Docket No. DRB 99-045 LETTER OF ADMONITION

Dear Mr. Nelson:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. With the approval of the Supreme Court, the Board has concluded that an admonition is the appropriate discipline for your misconduct. Specifically, in 1996 you were retained by Delores Reese to represent her son, Bruce Jennings, at his sentencing proceedings and to file an appeal from a guilty verdict as well as from the sentence. Notwithstanding your duty to represent your client's interests responsibly, you failed to file the appeal within the prescribed time and failed to communicate directly with your client about the status of his matter. Your conduct was unethical and in violation of <u>RPC</u> 1.3 and <u>RPC</u> 1.4(a), respectively. In another matter, after you became unable to represent Raney Daniels, Jr. as a result of your disability, you failed to properly withdraw from the representation and to take reasonable action to ensure that the file was returned to your client. Your conduct was improper and in violation of <u>RPC</u> 1.16(d).

The Board dismissed the <u>Richard Peters</u> matter for lack of clear and convincing evidence of unethical conduct.

Your conduct adversely reflected not only upon you as an attorney, but also upon all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. <u>R</u>. 1:20-15 (f) (4).

I/M/O Michael A. Nelson DRB 99-045

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, it will be taken into consideration

The Board has also directed that the costs of the disciplinary proceedings be assessed against you. An affidavit of costs will be forwarded under separate cover.

Very truly yours,

Robyn M. Hill

RMH:ms

c.

Chief Justice Deborah T. Poritz Associate Justices Stephen W. Townsend, Clerk Supreme Court of New Jersey Lee M. Hymerling, Chair **Disciplinary Review Board** David E. Johnson, Jr., Director Office of Attorney Ethics Susan O'Connor, Chair **District VIII Ethics Committee** Manny Gerstein, Secretary **District VIII Ethics Committee** Lennox S. Hinds, Esq., Respondent's counsel Bruce Jennings, Richard Peters, Raney Daniels, Jr., Grievants

