



**SUPREME COURT OF GEORGIA**  
**Case No. S05Y0455.**

Atlanta    February 21, 2005

The Honorable Supreme Court met pursuant to adjournment.  
The following order was passed.

**IN THE MATTER OF MICHAEL JOSEPH DAVIS**

This disciplinary matter is before the Court on Respondent Michael Joseph Davis' Petition for Voluntary Discipline in which he seeks the imposition of a Review Panel reprimand for his admitted violations of Standards 22 and 44 and Rules 1.3, 1.4, and 1.16 of the Georgia Rules of Professional Conduct, all a part of Bar Rule 4-102 (d). The maximum penalty for a violation of Standard 44 or Rule 1.3 is disbarment while the maximum penalty for a violation of Standard 22, Rule 1.4, or Rule 1.16 is a public reprimand. The State Bar recommends that this Court accept Davis' petition.

In his petition, Davis addresses issues presented in State Disciplinary Board Docket Nos. 4414 and 4718. In Docket No. 4414, Davis admits that he was hired by a collection company in 1996 to represent some of the company's customers in collection matters and that client files were sent to his office for legal assessment and litigation if warranted. Davis states that in one of these cases, he filed suit and discovery but eventually ceased working on the matter when it became apparent that it was an uncollectible matter, and that in another case, he filed suit but the case was dismissed and sanctions were granted for failure to respond to a contempt motion that arose after Davis failed to answer discovery because he was unable to obtain discovery responses from his client's customer. Davis further admits that in all of these instances, he failed to communicate properly with his client. With regard to Docket No. 4718, Davis admits that he was retained by an insurance company to handle collection matters on a contingent basis; that between March and November 2002, he failed to respond promptly to the company's attempts to contact him and failed to provide requested progress reports in a timely manner;

and that although he closed the files and returned them to the company at the company's request, there was some delay in doing so.

We have reviewed the record and agree with the State Bar that Davis' petition should be accepted. In mitigation of discipline, we note that Davis was suffering from a medical condition at the time of the inappropriate conduct; that the medical condition and related treatment caused him to be extremely exhausted and unable to handle his case load; and that he has subsequently decreased his case load and successfully completed his medical treatment. Accordingly, it hereby is ordered that Davis be administered a Review Panel reprimand pursuant to Bar Rules 4-102 (b) (4) and 4-220 (b) for his violations of Standards 22 and 44 and Rules 1.3, 1.4, and 1.16 of the Georgia Rules of Professional Conduct, all a part of Bar Rule 4-102 (d).



SUPREME COURT OF THE STATE OF GEORGIA  
Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

*Lynette Stinchcomb*

Chief Deputy Clerk