

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary
Action against PETER MAYRAND,
an Attorney at Law of the
State of Minnesota.

**SUPPLEMENTARY PETITION
FOR DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this supplementary petition for disciplinary action pursuant to Rules 10(e) and 12(a), Rules on Lawyers Professional Responsibility (RLPR).

Respondent is currently the subject of a November 29, 2000, petition for disciplinary action. After serving the November 29, 2000, petition for disciplinary action, the Director received additional client complaints which have now resulted in this supplementary petition for disciplinary action.

The Director alleges that respondent has committed the following additional unprofessional conduct warranting public discipline:

COUNT SEVEN

Pattern of Accepting Fees and Abandoning Clients

58. Respondent has engaged in a pattern of conduct of accepting fees from clients and then abandoning them as follows:

Philip Larson Matter

59. In April of 2000, Philip D. Larson retained respondent to represent him in the collection of a debt owed from the proceeds of a sale of property. Larson paid respondent a \$1,000 retainer fee.

60. On June 2, 2000, respondent sent a letter on Larson's behalf to the debtor requesting documents relating to the proposed distribution of sale proceeds.

61. Throughout the summer and fall of 2000, Larson attempted to contact respondent numerous times by phone and through the mail in order to discuss the status of his case. Larson sent respondent three letters by regular mail and two letters by certified mail requesting information on the status of his case and requesting to meet with respondent. Respondent did not respond to Larson's voicemails or letters.

62. To date, respondent has taken no further action on Larson's case or responded to Larson's requests for information. Larson was forced to retain new counsel at additional expense.

Morris McNiff Matter

63. On or about August 15, 2000, Morris McNiff retained respondent to represent him on a parole violation in McLeod County, Minnesota. McNiff paid respondent a \$1,500 retainer fee.

64. Respondent appeared on McNiff's behalf at the initial appearance and McNiff was released without bail. McNiff subsequently attempted to contact respondent about the upcoming parole violation hearing. Respondent failed to return McNiff's telephone calls. A warrant was subsequently reissued for McNiff's arrest. To date, respondent has taken no further action on McNiff's case or responded to McNiff's requests for information.

Rachel Rodysil Matter

65. In July of 1999, Rachel M. Rodysil retained respondent to represent Marv Hanson on a criminal matter in Aitkin County, Minnesota.

66. Rodysil made several payments on Hanson's behalf to respondent. On July 2, 1999, Rodysil paid respondent \$4,000 in cash. On July 9, 1999, Rodysil had relatives issue a check to respondent for \$1,100. On August 8, 1999, Rodysil had

relatives issue another check to respondent for \$2,800. Respondent negotiated both checks. At the end of August 1999, Rodysil paid respondent an additional \$500 in cash.

67. Respondent made two appearances on Hanson's behalf and then informed Rodysil that he would no longer represent Hanson. Neither Rodysil nor Hanson received a letter of withdrawal from respondent.

68. Respondent also failed to file forfeiture papers on Hanson's behalf for personal property seized during a search by police. Respondent informed Rodysil that the forfeiture papers had been filed. Rodysil called respondent on a number of occasions to inform him that the forfeiture papers had not been filed and to request a copy of the search warrant. Respondent failed to return Rodysil's telephone calls.

69. Respondent took no further action on Hanson's behalf or did not respond to any of Rodysil's requests for information.

70. Respondent's conduct in accepting fees from clients and then abandoning them in the above-mentioned matters violates Rules 1.3 and 1.4, Minnesota Rules of Professional Conduct (MRPC).

COUNT EIGHT

Non-Cooperation and Failure to Return a Client File

71. Respondent has failed to respond to letters and notices of investigations in the investigations of the complaints against him as follows:

Philip Larson Matter

72. On November 7, 2000, the Director sent a notice of investigation to respondent. Respondent failed to respond. The Director sent respondent a December 6, 2000, letter requesting a response to the complaint. Respondent again failed to respond.

73. In December, respondent was contacted by phone about his failure to respond to the Larson complaint. Respondent indicated that he would send in a response. Respondent received letters from the Director again on January 22, 2001,

March 2, 2001, and April 16, 2001, requesting a response to the Larson complaint. Respondent did not respond.

Morris McNiff Matter

74. On March 2, 2001, the Director sent respondent a notice of investigation in the McNiff complaint. Respondent did not respond. The Director sent respondent a letter dated April 16, 2001, requesting a response to the complaint. Respondent did not respond.

Rachel Rodysil Matter

75. On April 23, 2001, the Director sent a notice of investigation to respondent. Respondent failed to respond.

George Patrick Chester Matter

76. In February of 1999, George Patrick Chester retained respondent to represent him on criminal charges of driving under the influence and in a civil forfeiture proceeding. After appearing at several hearings on behalf of Chester, respondent withdrew as counsel.

77. Chester and his mother sent respondent a letter dated October 29, 2000, by certified mail requesting that respondent return his file. Respondent failed to respond to the letter or return the file. The Chesters sent respondent a letter dated January 10, 2001, requesting the return of his file. Respondent again failed to respond.

78. On November 7, 2000, the Director sent a notice of investigation to respondent. Respondent failed to respond. The Director sent respondent a letter dated December 6, 2000, requesting a response to the complaint. Respondent again failed to respond. Respondent received another letter from the Director on March 2, 2001, requesting a response to the complaint. Respondent did not respond.

79. Respondent's failure to return the client file in the Chester matter and his failure to cooperate with the Director's investigations of the Larson, McNiff, Rodysil and Chester complaints violated Rules 1.16(d), 8.1(a)(3), and 8.4(d), MRPC.

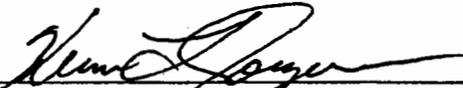
WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: January 17, 2002.



EDWARD J. CLEARY
DIRECTOR OF THE OFFICE OF LAWYERS
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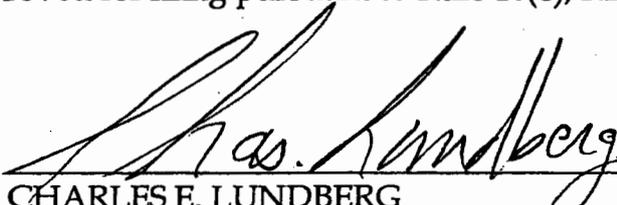
and



KENNETH L. JORGENSEN
FIRST ASSISTANT DIRECTOR
Attorney No. 159463

This supplementary petition is approved for filing pursuant to Rule 10(e), RLPR, by the undersigned.

Dated: January 22, 2002.



CHARLES E. LUNDBERG
CHAIR, LAWYERS PROFESSIONAL
RESPONSIBILITY BOARD