

In the Supreme Court of Georgia

Decided: July 5, 2010

S10Y1067 IN THE MATTER OF DENISE F. HEMMANN.

PER CURIAM.

This disciplinary matter is before the Court pursuant to the Notice of Discipline filed by the State Bar alleging that Denise F. Hemmann (State Bar No. 345025) violated Rules 1.3 and 1.4 of the Rules of Professional Conduct found in Bar Rule 4-102 (d). The maximum sanction for a violation of Rule 1.3 is disbarment, while the maximum sanction for a violation of Rule 1.4 is a public reprimand.

According to the facts set forth in the Notice of Discipline, the Investigative Panel of the State Disciplinary Board found probable cause as to the following: Hemmann was admitted to the State Bar of Georgia in 1981; in 2007 she was retained to represent a client to defend her in a petition to revoke her visitation rights with her grandchild; that although she answered the petition on the client's behalf, she failed to respond to discovery requests or to the

plaintiff's motion to compel discovery; and that as a sanction for that failure, the Court granted the plaintiff's motion to strike the client's answer and revoked her visitation rights. Moreover, the court later denied her motion for new trial and her motion to reconsider or set aside the judgment.

Based on these facts, the Investigative Panel determined that disbarment would be the appropriate disciplinary sanction for Hemmann noting in aggravation that she has received two formal letters of admonition and an Investigative Panel reprimand since 1997. Although Hemmann was personally served with the Notice of Discipline pursuant to Bar Rule 4-203.1(b) (3) (i), she has not responded in any manner. Accordingly, for all of the reasons set forth above, we agree with the State Bar's recommendation and find that disbarment is the warranted sanction in this case. Therefore, Hemmann hereby is disbarred from the practice of law in Georgia. She is reminded of her duties under Bar Rule 4-219 (c).

Disbarred. All the Justices concur.