

# Cicchelli strikes a deal in ticket-fixing scrape

He gets fine, community service

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BEULAH - Benzie County's prosecutor must serve 40 hours of community service in a deal he struck to avoid a hearing over a complaint that he tried to fix a ticket for a friend and then gave a false statement to police during an investigation.

**Anthony Cicchelli** must also attend a "professional enhancement workshop" offered by the State Bar of Michigan and pay \$760 in court costs.

**Cicchelli**, elected as county prosecutor in 1996, said through an assistant that he had no comment. A complaint filed against Cicchelli alleged he made "negligently inaccurate statements" to a magistrate and a state police investigator in 2002.

**Cicchelli** pleaded no contest to the complaint, which is not an admission of guilt, but an Attorney Discipline Board panel found Cicchelli committed professional misconduct.

The panel found that the reprimand was appropriate because **Cicchelli** had no prior disciplinary record, cooperated with the proceedings and lacked "a dishonest or selfish motive."

Terms of the reprimand were negotiated between **Cicchelli**, his attorney and the grievance administrator and it avoided a public hearing over the complaint before a panel of three lawyers.

"It would not be inaccurate to liken it to a plea bargain; it's quite similar," said John F. Van Bolt, executive director of the Attorney Discipline Board.

The complaint was filed in August by the grievance administrator for the Attorney Grievance Commission. The reprimand became effective Oct. 14.

The Michigan Attorney General's office considered filing a criminal charge against **Cicchelli** before the case was referred to the Attorney Grievance Commission.

Investigators said **Cicchelli** asked the magistrate of the 85th District Court to dismiss a ticket issued to Dennis Heniser in exchange for Heniser's testimony in a felony probation violation hearing. But a state police detective who investigated discovered there was no probation violation hearing, according to a police report.

The detective, William Eberhardt, said in his police report that **Cicchelli** "concocted a story" for about 20 minutes when he interviewed him about the ticket-fixing allegation in 2002.

Eberhardt said **Cicchelli** initially maintained that he needed Heniser's testimony, but then backed down when the detective told the prosecutor he had already checked with the county's probation officer, who told him he never heard of the case.