STATE OF NORTH CAROLINA

WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
13 DHC 30

THE NORTH CAROLINA STATE BAR, Plaintiff v. STEVEN M. CHEUVRONT, Attorney, Defendant	COMPLAINT

Plaintiff, complaining of Defendant, alleges and says:

1. Plaintiff, the North Carolina State Bar ("State Bar"), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

2. Defendant, Steven M. Cheuvront, ("Cheuvront" or "Defendant"), was admitted to the North Carolina State Bar on March 21, 1998, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

Upon information and belief:

3. During all or part of the relevant periods referred to herein, Cheuvront was engaged in the practice of law in the State of North Carolina and maintained a law office in Morganton, Burke County, North Carolina.

4. Cheuvront represented Kristi Ann Farinella ("Farinella") who was issued citations in Burke County cases *State v. Kristi Ann Farinella*, 12 CR 703420 (expired registration, expired inspection) and 12 IF 703847 (improper passing).

5. On or about February 8, 2013, Defendant wrote the letters "VD" on the citations in the court files in 12 CR 703420 and 12 IF 703847 ("Farinella files") and forged and falsely wrote the initials of Assistant District Attorney Frank Webster ("Webster") below the letters "VD" on the citations in the Farinella files to indicate that Webster had taken a voluntary dismissal in each case.

6. After entering voluntary dismissal notations and forging Webster's initials on the citations in the Farinella files, Cheuvront delivered them to the clerk's office for entry in the case record.

7. At the time Cheuvront placed Webster's initials and voluntary dismissal notations on the citations in the Farinella files, Cheuvront did not have the authority or consent of Webster to sign his initials to the entry of voluntary dismissals in the Farinella files.

8. At the time Cheuvront placed Webster's initials and voluntary dismissal notations on the citations in the Farinella files, Cheuvront did not have the authority or consent of Webster to enter voluntary dismissals in the Farinella files.

9. By writing voluntary dismissal notations and Webster's initials on the citations in the Farinella files and delivering the Farinella files to the clerk's office for entry in the record, Defendant acted with fraudulent intent and engaged in unlawful criminal conduct in violation of N.C. Gen. Stat. §14-119.

10. By delivering the Farinella files to the clerk's office for entry in the record knowing they contained the unauthorized dismissal of the charges and the forged initials of Webster, Cheuvront engaged in unlawful criminal conduct in violation of N.C. Gen. Stat. § 14-221.2.

11. By delivering the citations to the clerk's office for entry in the record knowing they contained unauthorized dismissals of the charges and the forged initials of Webster, Cheuvront engaged in obstruction of justice, unlawful criminal conduct in violation of North Carolina common law.

THEREFORE, Plaintiff alleges that Defendant's foregoing actions constitute grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Defendant violated the Rules of Professional Conduct in effect at the time of the conduct as follows:

a. By forging Webster's initials on citations in the Farinella files below the letters VD to falsely indicate Webster had entered voluntary dismissals in the Farinella files, and then delivering the same to the clerk's office for entry in the record, Cheuvront committed one or more criminal acts (forgery, altering court documents, obstruction of justice) that reflect adversely on his honesty, trustworthiness or fitness as a lawyer in other respects in violation of Rule 8.4(b), engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule 8.4(c), and engaged in conduct that is prejudicial to the administration of justice in violation of Rule 8.4(d).

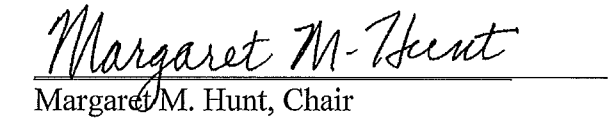
WHEREFORE, Plaintiff prays that:

(1) Disciplinary action be taken against Defendant in accordance with N.C. Gen. Stat. § 84-28(a) and § .0114 of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C.A.C. 1B § .0114), as the evidence on hearing may warrant;

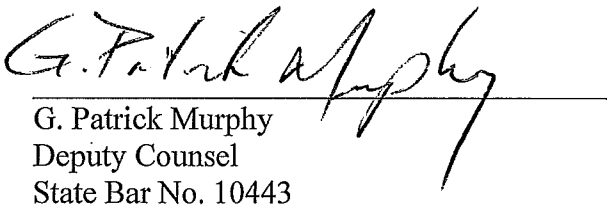
(2) Defendant be taxed with the administrative fees and costs permitted by law in connection with this proceeding; and

(3) For such other and further relief as is appropriate.

The 17th day of October 2013.



Margaret M. Hunt, Chair
Grievance Committee



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