SEP 2008
FILED
DHC

STATE OF NORTH CAROLINA

WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
08 DHC 15

THE NORTH CAROLINA STATE BAR, Plaintiff v. JAMES T. PARKER, 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 North Carolina General Statutes, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

2. Defendant, James T. Parker ("Parker" or "Defendant"), was admitted to the North Carolina State Bar in 1991 and is, and was at all times referred to herein, an Attorney at Law licensed to practice in North Carolina, subject to the rules, regulations, and Revised Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

Upon information and belief:

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

4. On 19 June 2007, Parker intentionally took Ibuprofen, Goody Powders, and B.C. Powder from a Harris Teeter grocery store in Gaston County without paying for the goods. The total value of the goods taken was $23.66.

5. After being arrested by Officer G.A. Grier of the Gastonia Police Department, Parker was subsequently charged with misdemeanor larceny in the matter of *State of North Carolina v. James Parker*, file number 07 CR 059091.

6. On 17 September 2007, Parker appeared in Gaston County District Court and pled no contest to the lesser included charge of misdemeanor shoplifting/concealment of goods.

7. After hearing the factual basis for the charge, the Court found Parker guilty of misdemeanor shoplifting/concealment of goods.

THEREFORE, Plaintiff alleges that Defendant's conduct constitutes grounds for discipline as follows:

(a) Pursuant to N.C. Gen. Stat. § 84-28(b)(1), for conviction of misdemeanor shoplifting/concealment of goods, a criminal offense showing professional unfitness; and

(b) Pursuant to N.C. Gen. Stat. § 84-28(b)(2), in that Parker violated the Revised Rules of Professional Conduct in effect at the time of his actions as follows: by intentionally taking merchandise from a store without paying for the goods, Parker committed a criminal act which reflects adversely on his honesty, trustworthiness or fitness as a lawyer in violation of Rule 8.4(b) and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule 8.4(c).

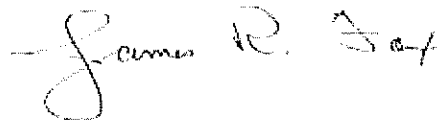
WHEREFORE, Plaintiff prays that:

(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;

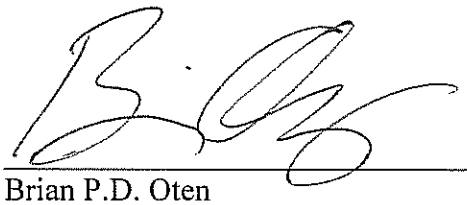
(2) Defendant be taxed with the costs permitted by law in connection with this proceeding; and

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

This the 3rd day of September, 2008.



James R. Fox, Chair
Grievance Committee



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