

WAKE COUNTY
NORTH CAROLINA

IN THE GENERAL COURTS OF JUSTICE
SUPERIOR COURT DIVISION
07 CVS 5892

THE NORTH CAROLINA STATE BAR,
PETITIONER,

v.

DANIEL A. FULCO, ATTORNEY,
RESPONDENT.

CONSENT ORDER OF
DISBARMENT

THIS MATTER came on to be heard and was heard by the undersigned Judge of the Superior Court of Wake County. Petitioner, the North Carolina State Bar was represented by Katherine E. Jean. Respondent, Daniel A. Fulco, was represented by Alan M. Schneider.

Based upon the Affidavit of Surrender of Law License submitted to the court by Fulco, the court makes the following:

FINDINGS OF FACT

1. Daniel A. Fulco utilized at least \$267,000.00, held by him in trust, for his own benefit or the benefit of third parties without authorization to do so from the beneficial owners of the funds.
2. Daniel A. Fulco misappropriated entrusted funds in the amount of at least \$267,000.00.

Based upon the foregoing Findings of Fact, the court makes the following:

CONCLUSIONS OF LAW

1. By misappropriating entrusted funds for his own personal benefit or for the benefit of third parties without authorization to do so from the beneficial owners of the funds, Daniel A. Fulco violated Rules 1.15-2(j) and 8.4(c) of the Revised Rules of Professional Conduct.
2. Daniel A. Fulco's misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. Section 84-28(b)(2).

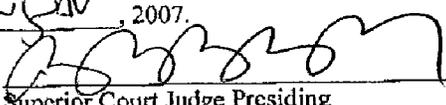
IT IS NOW, THEREFORE, ORDERED:

1. Daniel A. Fulco is DISBARRED from the practice of law in North Carolina.

2. Daniel A. Fulco shall comply with the provisions of Subchapter B, Section .0024 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Subchapter B, Section .0024.

3. The costs of this action are taxed against Daniel A. Fulco.

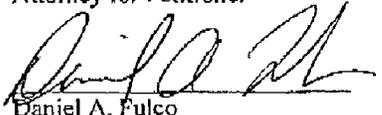
Done and Ordered this 13th day of August, 2007.

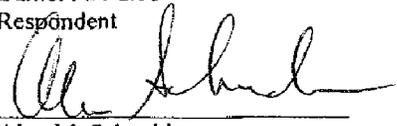

Superior Court Judge Presiding

PURVIS RAND

WE CONSENT


Katherine E. Jean
Attorney for Petitioner


Daniel A. Fulco
Respondent


Alan M. Schneider
Attorney for Respondent