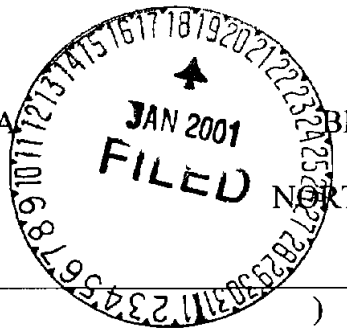
NORTH CAROLINA

WAKE COUNTY



BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
01 BCS 01

IN THE MATTER OF THE TENDER OF SURRENDER OF LICENSE OF JAMES H. WADE	))))	ORDER OF DISBARMENT

THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0117(a) of the State Bar Discipline & Disability Rules upon an affidavit of tender of surrender of license executed by James H. Wade on January 16, 2001 and filed in the offices of the North Carolina State Bar on January 17, 2001.

Based upon the affidavit, the Council finds that James H. Wade's conduct of misappropriating client funds is grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that James H. Wade violated Rules 1.2(b)(and (c) of the Rules of Professional Conduct.

WHEREFORE, upon Motion made and duly seconded, the Council enters the following Order:

1. The tender of surrender of license of James H. Wade is hereby accepted.

2. James H. Wade is hereby is DISBARRED from the practice of law in North Carolina.

3. James H. Wade shall comply with the provisions of 27 N.C.A.C. Chapter 1, Subchapter B, § .0124 of the State Bar Discipline & Disbarment Rules and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0124 of the State Bar Discipline & Disbarment Rules.

4. The costs of this action are taxed against James H. Wade.

Done and ordered this 19th day of January, 2001.

M. Ann Reed

M. Ann Reed, President
The N.C. State Bar

NORTH CAROLINA

WAKE COUNTY

BEFORE THE COUNCIL
OF THE NORTH CAROLINA STATE BAR
01 BCS 01

AFFIDAVIT OF SURRENDER

James H. Wade, being first duly sworn, deposes and says as follows:

1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to the provisions of 27 N.C. Admin. Code Chapter 1, Subchapter B, Section .0117 of the N.C. State Bar Discipline & Disability Rules.

2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation.

3. I am aware that there is pending an investigation regarding allegations that I misappropriated for my own use funds entrusted to me by my client, Josh Honeycutt.

4. I acknowledge that the material facts upon which the investigation is predicated are true and that I have misappropriated approximately $14,000 in client and fiduciary funds to my own use.

5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

This the 16th day of ~~December, 2000~~ January, 2001.

James H. Wade

Sworn to and subscribed before me
this the 16 day of ~~December, 2000~~ January, 2001.

Notary Public

My commission expires:

OFFICIAL SEAL
Notary Public, North Carolina
EILEEN SNOW
Mecklenburg County
My Commission Expires August 18, 2002