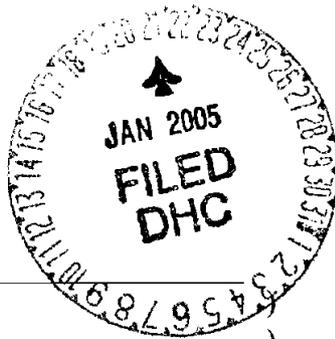


NORTH CAROLINA  
WAKE COUNTY



BEFORE THE COUNCIL  
OF  
THE NORTH CAROLINA STATE BAR  
05 BCS 2

In re: Frank W. Ballance,  
Attorney at Law

)  
)  
)

**Order of Disbarment**

THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to Section .0017 of Subchapter B of the Rules and Regulations of the North Carolina State Bar upon an affidavit of tender of license executed by Frank W. Ballance and filed in the offices of the North Carolina State Bar on 19 October 2004.

Based upon the affidavit of tender of license, the Council finds that Frank W. Ballance was convicted of the crime of conspiracy to commit mail fraud and money laundering in violation of 18 U.S.C. Sec. 371 upon a plea of guilty to count 1 of an indictment in the United States District Court for the Eastern District of North Carolina, file number 5:04-CR-282-1B01, a felony. The Council also finds that Frank W. Ballance has waived his rights to notice of this hearing and the right to be heard before the Council. The Council concludes that the offense for which Frank W. Ballance was convicted is a serious crime showing professional unfitness to practice as defined by Rule .0103(17) of the State Bar Discipline & Disbarment Rules and N.C. Gen. Stat. § 84-28(b)(1) and constitutes grounds for discipline under N.C. Gen. Stat. §84-28(b)(2) in that Frank W. Ballance violated Rules 8.4(a), (b), and (c) of the Revised Rules of Professional Conduct and that the Council may enter an order of discipline accordingly.

WHEREFORE, upon motion duly made and seconded, the Council of the North Carolina State Bar enters the following order:

1. The tender of surrender of license of Frank W. Ballance is hereby accepted.
2. Frank W. Ballance is hereby DISBARRED from the practice of law in North Carolina.
3. Frank W. Ballance will comply with the provisions of Subchapter B, Section .0024 of the Rules and Regulations of the North Carolina State Bar and will surrender his license and permanent registration card to the Secretary of the North Carolina State Bar along with the affidavit required by Subchapter B, Section .0024.
4. The costs of this action are taxed against Frank W. Ballance.

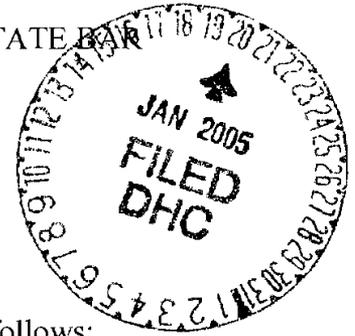
Done and Ordered, this the 21st day of January, 2005.

A handwritten signature in cursive script, appearing to read "Robert F. Siler".

Robert F. Siler, President  
The North Carolina State Bar

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE COUNCIL  
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05 BCS 2

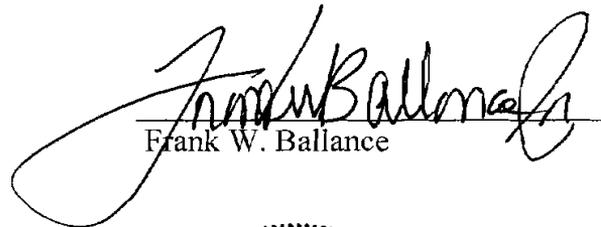


AFFIDAVIT OF SURRENDER

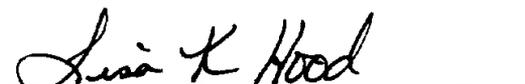
Frank W. Ballance, being first duly sworn, deposes and says as follows:

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 arising out the following: on November 9, 2004 I was convicted of conspiracy to commit mail fraud and money laundering in violation of 18 U.S.C. Sec. 371 upon a plea of guilty to count 1 of an indictment in the United States District Court for the Eastern District of North Carolina, file number 5:04-CR-282-1B01.
4. I acknowledge that material facts upon which my guilty plea was based are true, although I have not admitted all matters contained in the introduction to that indictment.
5. I am, however, submitting my resignation because I know that if disciplinary charges were predicated upon my guilty plea, I could not successfully defend against them.

This the 20<sup>th</sup> day of January 2005.

  
Frank W. Ballance

Sworn to and subscribed before me  
this the 20<sup>th</sup> day of January, 2005.

  
Notary Public

My commission expires: June 10, 2006

