

1982 APR 28

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

STATE OF NORTH CAROLINA

vs.

O R D E R

CHARLES S. LANIER

IN THE MATTER OF DISCIPLINE
OF CHARLES S. LANIER, ATTORNEY

This cause came on for hearing before the undersigned Judge presiding at the April 26, 1982 Session of Superior Court of Onslow County upon a Summary Proceeding for Discipline of an Attorney, and the Defendant, Charles S. Lanier, being present in court and represented by his attorneys, William J. Morgan and John Drew Warlick, and the State being represented by the District Attorney, William H. Andrews, and the Defendant, through Counsel, having consented to the Court hearing this matter at this session of court, the Court finds the following facts, having been satisfied thereof by clear, cogent and convincing proof:

- 1. That the Defendant, Charles S. Lanier, is an Attorney licensed to practice law in the State of North Carolina.
- 2. That the Defendant, Charles S. Lanier, entered a plea of guilty to felonious possession of the Schedule VI controlled substance, marijuana, at the April 26, 1982 Session of the Superior Court of Onslow County before the undersigned Judge, and the Court having examined the Defendant under oath and having further found that there is a factual basis for entry of the plea, has accepted said plea of guilty and has found the Defendant guilty and imposed judgment.
- 3. Pursuant to North Carolina General Statutes, Chapter 84, and pursuant to the inherent powers of this Court, this Court has authority to impose disciplinary sanctions upon the Defendant.

4. The offense for which the Defendant has been convicted was not directly involved with the Defendant's practice as an attorney. However, the facts giving rise to the Defendant's conviction involved the possession of marijuana at the defendant's home and his use of it together with two other persons, one of whom had been convicted and awaiting sentencing in a serious drug case, and the other person having pending felony charges in the Superior Court of Onslow County, also involving an alleged violation of controlled substance laws. The Defendant and these persons, ^{who} ~~were~~ ^{WERE REPRESENTED BY OTHER COUNSEL, *jeu*} used the controlled substance, marijuana, in the Defendant's home while discussing the pending legal situations of these persons. The information upon which officers relied in obtaining a search warrant to search the Defendant's premises was furnished by one of these persons thereafter and the Defendant further discussed his use of marijuana with Julius Yates at the Defendant's law office, Julius Yates having been one of the persons who had used marijuana at the Defendant's home.

That the conduct of the Defendant upon the foregoing occasions, and his conduct in violating the controlled substance laws of the State of North Carolina, was such as to demean the practice and profession of an attorney, to bring ~~the~~ ^{him} disrepute and disgrace to the practice and profession of an attorney and to bring contempt upon the administration of justice.

Based upon the foregoing findings of fact, the Court concludes as a matter of law:

1. The Defendant has been convicted of a felony and is subject to disciplinary proceedings by this Court.

2. That the Defendant's conduct is such as to warrant disciplinary punishment by this Court.

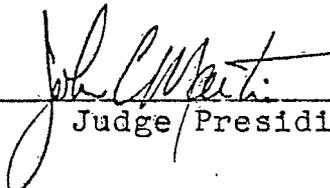
IT IS NOW THEREFORE ORDERED that the right of the Defendant, Charles S. Lanier, to practice the profession of an Attorney and

Counselor at Law in the State of North Carolina be and the same is hereby suspended for a period of one year from this date, during which time the Defendant Attorney, is not to engage in any manner in any employment or conduct related to the practice and profession of an Attorney.

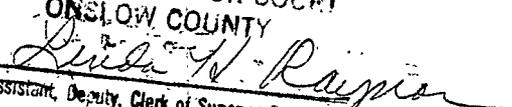
IT IS FURTHER ORDERED that the Defendant Attorney surrender within five (5) days of this date, his license as an Attorney to the North Carolina State Bar, Inc., Raleigh, North Carolina, and that said license be held and retained by the said North Carolina State Bar until the expiration of one year from this date.

IT IS FURTHER ORDERED that the Clerk of Superior Court of Onslow County shall forthwith certify a copy of this Order to the North Carolina State Bar, Inc., Raleigh, North Carolina.

This 26th day of April, 1982.



Judge Presiding

A TRUE COPY
CLERK OF SUPERIOR COURT
ONSLow COUNTY
BY 
Assistant, Deputy, Clerk of Superior Court