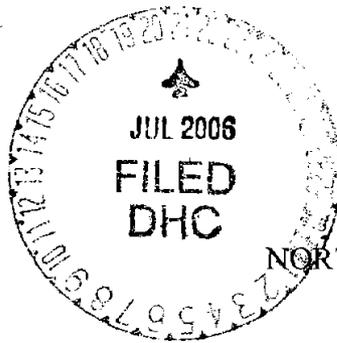


NORTH CAROLINA
WAKE COUNTY



BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
06 BCS 4

IN THE MATTER OF THE TENDER)
OF SURRENDER OF LICENSE OF)
DWAYNE A. BENNETT)

ORDER OF DISBARMENT

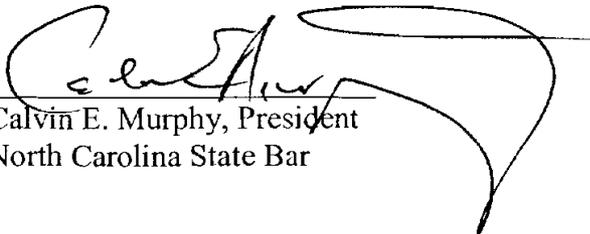
THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, §.0117(a) of the State Bar Discipline & Disability Rules upon an affidavit of tender of surrender of license executed by Dwayne A. Bennett ("Bennett") on June 5, 2006 and filed in the offices of the North Carolina State Bar on or about June 19, 2006.

Based upon the affidavit, the Council finds that Bennett's conduct of conspiring to commit fraud and of participating in said fraud by actions taken in the course of conducting real estate closings and by distributing funds differently than as stated on the HUD-1 Settlement Statement is grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Bennett violated Rules 8.4(b) and (c) of the Revised 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 Dwayne A. Bennett is hereby accepted.
2. Dwayne A. Bennett is hereby DISBARRED from the practice of law in North Carolina.
3. Bennett 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 Bennett.

Done and ordered this 21st day of July 2006.



Calvin E. Murphy, President
North Carolina State Bar

NORTH CAROLINA
WAKE COUNTY

BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR

06 BCS4

AFFIDAVIT TENDERING THE SURRENDER OF THE LICENSE OF
DWAYNE A. BENNETT

I, Dwayne A. Bennett, being first duly sworn, say:

1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to the provisions of Section .0117 of Subchapter 1B of the Rules and Regulations of the North Carolina State Bar.
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 presently pending an investigation regarding allegations that I have been guilty of misconduct by conspiring to engage in mortgage fraud and participating in said fraud by actions taken in the course of closing real estate sales and by distributing funds differently than as stated on the HUD-1 Settlement Statement. A Bill of Information has been filed against me in the United States District Court for the Western District of North Carolina alleging conspiracy in violation of 18 U.S.C. § 371 and a plea agreement has been filed, signed by me, in which I agree to enter a plea of guilty.
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. My resignation is being submitted because I know that if charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

Respectfully submitted, this the 5th day of June, 2006.



Dwayne A. Bennett

Sworn to and subscribed before me
This the 5th day of June, 2006.

Charles L. Morgan, J.
Notary Public

My commission expires: 1-19-08