

NORTH CAROLINA  
WAKE COUNTY



BEFORE THE COUNCIL OF THE NORTH  
CAROLINA STATE BAR

08 BCS 2

IN THE MATTER OF THE  
TENDER OF SURRENDER OF  
LICENSE OF

ORDER OF DISBARMENT

ADAM M. TYSON

THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to Section .0117 of Subchapter B of the Rules and Regulations of the North Carolina State Bar upon an affidavit of tender of license executed by Adam M. Tyson and filed in the offices of the North Carolina State Bar on July 14, 2008.

Based upon the affidavit of tender of license, the Council finds that Adam M. Tyson misappropriated \$28,000.00 entrusted to him in a fiduciary capacity and utilized those funds for his own personal benefit without authorization to do so from the beneficial owners of the funds.

The Council also finds that Adam M. Tyson has waived his right to notice of this hearing and the right to be heard before the Council.

The Council concludes that the conduct of Adam M. Tyson constitutes grounds for discipline under N.C. Gen. Stat. §84-28(b)(2) in that Adam M. Tyson violated Rules 1.15-2(j) and 8.4(c) of the Revised Rules of Professional Conduct and that the Council may enter an order of discipline accordingly.

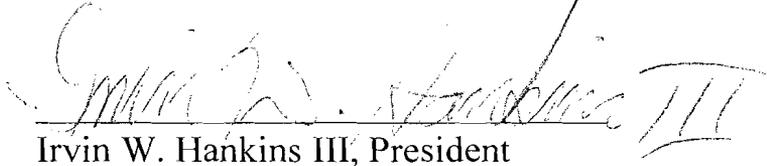
WHEREFORE, upon motion duly made and seconded, the Council of the North Carolina State Bar enters the following order:

1. The tender of surrender of license of Adam M. Tyson is hereby accepted.
2. Adam M. Tyson is hereby DISBARRED from the practice of law in North Carolina.

3. Adam M. Tyson will comply with the provisions of Subchapter B, Section .0124 of the Rules and Regulations of the North Carolina State Bar. Tyson 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 .0124.

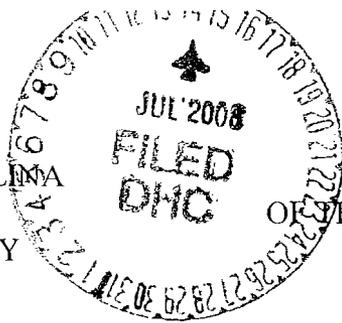
4. The costs of this action are taxed against Adam M. Tyson.

Done and Ordered, this the 18th day of July, 2008.

A handwritten signature in cursive script, appearing to read "Irvin W. Hankins III", written over a horizontal line.

Irvin W. Hankins III, President

NORTH CAROLINA  
WAKE COUNTY



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

AFFIDAVIT OF SURRENDER

Adam M. Tyson, 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 implications of submitting my resignation.

3. I am aware that there is pending an investigation regarding allegations that I misappropriated \$28,000.00 entrusted to me in a fiduciary capacity and utilized those funds for my own personal benefit without authorization to do so from the beneficial owners of the funds. I have returned all of those funds to the trust account.

4. I acknowledge that the material facts upon which the investigation is predicated are true.

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.

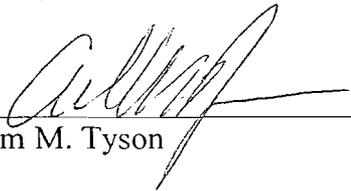
6. I understand that the hearing by the Council of the North Carolina State Bar with regard to the acceptance of my Affidavit of Surrender will occur at the regularly scheduled meeting of the Council of the North Carolina State Bar on Friday, July 18, 2008 at the Carolina Hotel in Pinehurst, North Carolina.

7. I acknowledge that I understood before tendering my Affidavit of Surrender that it would be presented to the Council at its meeting on Friday, July 18, 2008.

8. I hereby waive any claim, argument, or assertion that I have not received proper or timely notice of the hearing before the Council on Friday, July 18, 2008 on my Affidavit of Surrender or any other defect in notice. I further waive any and all right or privilege to appear before the Council at that hearing.

9. I affirm that I have had a full opportunity to seek the advice and counsel of an attorney in filing my Affidavit of Surrender and in waiving any rights set forth in this Waiver.

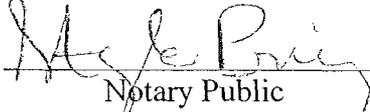
This the 10<sup>th</sup> day of July, 2008.

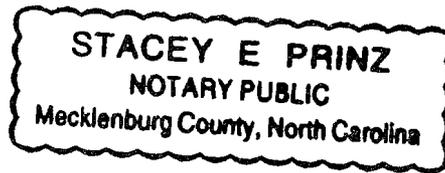
  
Adam M. Tyson

I, Stacey E. Prinz, Notary Public of the County of Mecklenburg, State of North Carolina, certify that Adam M. Tyson personally appeared before me this day and acknowledged the due execution of the foregoing Affidavit.

Sworn to and subscribed before me

This the 10 day of July, 2008.

  
Notary Public



My Commission Expires 3-6-2013