

STATE OF NORTH CAROLINA



BEFORE THE
GRIEVANCE COMMITTEE CHAIR
OF THE
NORTH CAROLINA STATE BAR
11G0188 & 11G0486

WAKE COUNTY

IN RE:

ANDREW JASON BRAUER,
ATTORNEY

CONSENT ORDER
TRANSFERRING MEMBER TO DISABILITY
INACTIVE STATUS

This matter is before the undersigned Chair of the Grievance Committee of the North Carolina State Bar pursuant to 27 N.C. Admin. Code 1B § .0118(g). Brian P.D. Oten represented the North Carolina State Bar ("State Bar"). Duncan A. McMillan represented Andrew Jason Brauer. Based upon the information presented and with the consent of the member and of the Office of Counsel, the undersigned makes the following

FINDINGS OF FACT

1. The North Carolina State Bar ("State Bar") is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the rules and regulations of the North Carolina State Bar promulgated thereunder.
2. Andrew Jason Brauer ("Brauer"), was admitted to the North Carolina State Bar on 25 August 2005 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.
3. During the times relevant herein, Brauer was engaged in the practice of law in the State of North Carolina and maintained a law office in Raleigh, Wake County, North Carolina or Burlington, Alamance County, North Carolina.
4. Brauer currently suffers from bipolar disorder, type 1, which significantly impairs his professional judgment, performance and competence as an attorney.
5. Brauer voluntarily consents to being transferred to disability inactive status.
6. The State Bar consents to Brauer's transfer to disability inactive status.

Based on the foregoing Findings of Fact, the undersigned makes the following

CONCLUSIONS OF LAW

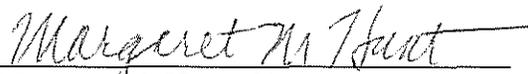
1. There is clear, cogent and convincing evidence that Brauer is disabled within the meaning of 27 N.C. Admin. Code 1B § .0103(19).

2. Brauer should be transferred to disability inactive status with the State Bar.
3. Brauer and the State Bar voluntarily consent to Brauer's transfer to disability inactive status pursuant to 27 N.C. Admin. Code 1B § .0118(g).
4. The pending grievances against Brauer should be stayed during the period of disability.

THEREFORE, it is hereby ORDERED:

1. Andrew Jason Brauer is transferred to disability inactive status.
2. Brauer shall not practice law in North Carolina until he is no longer disabled and has been returned to active status as a member of the North Carolina State Bar pursuant to the procedures set out in 27 N.C. Admin. Code 1B § .0125(c).
3. The pending grievances against Brauer are hereby stayed during the period of disability until such time as Brauer returns to active status. The State Bar may continue to investigate allegations of misconduct and preserve evidence as necessary pursuant to 27 N.C. Admin. Code 1B § .0118(f).

This, the 27th day of ~~April~~^{May}, 2012.


Margaret M. Hunt, Chair
Grievance Committee

CONSENTED TO:


Andrew Jason Brauer


Brian P.D. Oten
Deputy Counsel


Duncan A. McMillan
Counsel for Andrew Jason Brauer