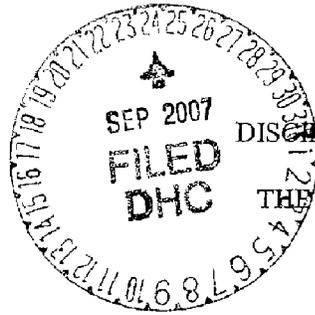


NORTH CAROLINA

WAKE COUNTY



BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF  
THE NORTH CAROLINA STATE BAR  
07 DHC 13

THE NORTH CAROLINA STATE  
BAR,

Plaintiff

v.

PETER K. GEMBORYS, Attorney,  
Defendant

**Order Transferring Defendant  
to  
Disability Inactive Status  
and  
Setting Hearing Date on Disability**

This matter came before the Chair of the Hearing Committee in the above captioned proceeding based upon the pleadings. The Chair makes the following:

#### **Findings of Fact**

1. The Plaintiff, the North Carolina State Bar, filed a disciplinary complaint against the Defendant, Peter K. Gemborys, on July 9, 2007. Summons was also issued on July 9, 2007. Defendant accepted service of the Summons on July 26, 2007.
2. On August 2, 2007, the Chair of the Disciplinary Hearing Commission appointed the three members of the Hearing Committee to hear and determine the Plaintiff's disciplinary complaint. The Hearing Committee consists of Sharon B. Alexander, Chair, M. Ann Reed, and Michael J. Houser.
3. On August 22, 2007, Defendant, through counsel, filed a Notice of Disability raising a question about whether the Defendant had a disability that impaired his ability to practice law.

Based upon the foregoing Findings of Fact, the Chair makes the following:

#### **Conclusions of Law**

1. Defendant has raised a contention that he is disabled within the meaning of 27 N.C.A.C. 1B § .0103(19) during the course of a disciplinary proceeding.
2. In accordance with 27 N.C.A.C. 1B § .0118(c), the disciplinary proceeding should be stayed pending a determination by the Hearing Committee whether the Defendant's disability exists.

3. In accordance with 27 N.C.A.C. 1B § .0118(c), the Defendant should be immediately transferred to disability inactive status pending the conclusion of a hearing by the Hearing Committee on Defendant's disability.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Chair enters the following:

**Order**

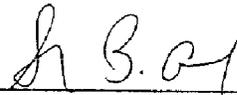
1. The Defendant is hereby immediately transferred to disability inactive status pending a determination whether the Defendant's disability exists.

2. The disciplinary proceeding is hereby stayed pending a determination whether the Defendant's disability exists.

3. The Hearing Committee will conduct a hearing on Defendant's disability in accordance with the requirements of 27 N.C.A.C. 1B § .0118(c).

4. The hearing on Defendant's disability is hereby set for November 29 & 30, 2007 at 10:00 a.m. in the third floor courtroom in the North Carolina State Bar Building at 208 Fayetteville Street, Raleigh, North Carolina.

This the 17 day of September, 2007.



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Sharon B. Alexander, Chair  
Disciplinary Hearing Committee