

NORTH CAROLINA
WAKE COUNTY



BEFORE THE DISCIPLINARY HEARING
COMMISSION OF THE
NORTH CAROLINA STATE BAR
10 DHC 36

THE NORTH CAROLINA STATE BAR,

Petitioner

v.

JOHN EDWARD LEWIS, Attorney,

Respondent

ORDER
OF
DISBARMENT

THIS MATTER coming before the undersigned Chair of the Disciplinary Hearing Commission pursuant to N.C. Admin. Code title 27, Rule 1B.0117(d) upon an affidavit of surrender of license executed by John Edward Lewis ("Lewis") dated 1 December 2010 and filed in the offices of the North Carolina State Bar on 6 December 2010.

Based upon the pleadings and the record, the undersigned makes the following:

FINDINGS OF FACT

1. Plaintiff, the North Carolina 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. Defendant was licensed to practice law in North Carolina on March 25, 2006.
3. During all periods relevant hereto, Defendant was engaged in the practice of law in North Carolina.
4. Defendant has indicated his consent to disbarment by filing an affidavit of surrender with the Disciplinary Hearing Commission. The affidavit meets all requirements set forth in N.C. Admin. Code title 27, Rule 1B.0117(a)(1) through (4), and (d).

Based upon the foregoing Findings of Fact the undersigned makes the following:

CONCLUSIONS OF LAW

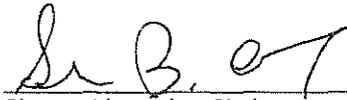
1. N. C. Admin. Code title 27, Rule 1B.0108 provides that the Chair of the Disciplinary Hearing Commission has the power to enter orders disbaring members by consent.
2. Defendant's affidavit meets all requirements set forth in N.C. Admin. Code title 27, Rule 1B.0117(a)(1) through (4), and (d), and the facts on which the affidavit is predicated warrant Defendant's disbarment.
3. Defendant has admitted the material facts as alleged in the State Bar's complaint, incorporated herein by reference, and the misconduct alleged in the complaint has been established.

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned Chair of the Disciplinary Hearing Commission enters the following:

ORDER

1. The surrender of the license of John Edward Lewis is hereby accepted.
2. John Edward Lewis is DISBARRED from the practice of law in North Carolina effective upon the entry of this order with the Secretary of the North Carolina State Bar.
3. John Edward Lewis shall comply with the provisions of N.C. Admin. Code title 27, Rule 1B.0124 of the State Bar Discipline and Disability Rules.
4. The costs of this action are taxed against the Defendant.

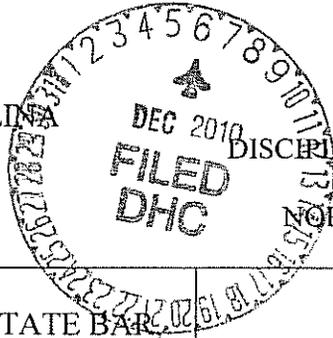
Done and Ordered this 10 day of December, 2010.



Sharon Alexander, Chair
Disciplinary Hearing Commission

STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
10 DHC 36

THE NORTH CAROLINA STATE BAR

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v.

JOHN EDWARD LEWIS, Attorney,

Respondent

AFFIDAVIT OF
SURRENDER OF LAW LICENSE

**TO: The Chair of the Disciplinary Hearing Commission
of the North Carolina State Bar**

John Edward Lewis, 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 State Bar Discipline and Disability Rule 27 N.C.A.C. 1B § .0117(d).

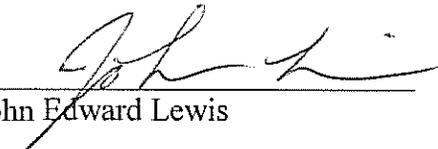
2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation.

3. I am aware that there is pending a formal complaint against me before the Disciplinary Hearing Commission, a copy of which is attached and incorporated herein.

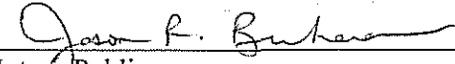
4. I acknowledge that the material facts alleged in the complaint are true.

5. I am submitting my resignation because I know that I cannot successfully defend against the charges in the complaint.

This the 15th day of December, 2010.

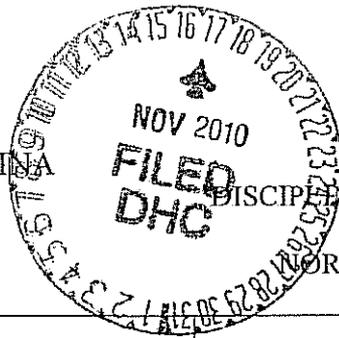

John Edward Lewis

Sworn to and subscribed before me,
this the 15th day of December, 2010.


Notary Public

My commission expires: June 1, 2015

STATE OF NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
10 DHC 36

THE NORTH CAROLINA STATE BAR,
Plaintiff

v.

JOHN EDWARD LEWIS, Attorney,
Defendant

COMPLAINT

Plaintiff, complaining of Defendant, alleges and says:

1. Plaintiff, the North Carolina State Bar ("Plaintiff" or "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. Defendant, John E. Lewis ("Defendant" or "Lewis"), was admitted to the North Carolina State Bar on 25 March 2006 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, Lewis actively engaged in the practice of law in the State of North Carolina and maintained a law office in Cullowhee, Jackson County, North Carolina.
4. On at least four occasions between September 2008 and August 2009 Lewis forged judges' signatures on court documents and represented those forged documents to be valid. On at least one occasion, Lewis filed a forged document in a court file.
5. Lewis misrepresented to his clients that their cases were resolved based upon the forged documents.
6. Based upon Lewis's conduct described in paragraph 4 above, on or about 11 January 2010 Lewis was charged with and pled guilty to twelve (12) felony counts including obstruction of justice, forgery, uttering of forged paper and entering an unauthorized judgment in case nos. 10 CRS 30 – 41 in Jackson County, North Carolina. Lewis was sentenced to a total of sixty (60) days in jail, ten months house arrest and five years probation.

7. The offenses of which Lewis was convicted are criminal offenses showing professional unfitness as defined by § .0103(17) of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C.A.C. 1B § .0103(17)).

8. While serving his jail sentence, Lewis forged a law enforcement officer's signature on a document purporting to release an individual from the custody of the Jackson County Sheriff's Office.

9. Lewis's conduct described in paragraph 8 above was a criminal offense as defined by the common law of North Carolina.

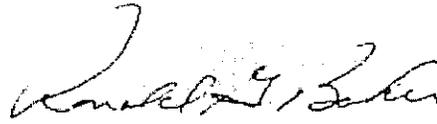
THEREFORE, Plaintiff alleges that Defendant's foregoing actions constitute grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(1) based upon his conviction of criminal offenses showing professional unfitness and N.C. Gen. Stat. § 84-28(b)(2) in that Defendant violated the Rules of Professional Conduct as follows:

- (a) By forging judges' signatures and representing the forged documents to be valid to the court and his clients, and by forging a law enforcement officer's signature on a court document, Lewis committed criminal acts that reflect adversely on Lewis's honesty, trustworthiness and fitness as a lawyer in violation of Rule 8.4(b) and engaged in conduct involving dishonesty, fraud, deceit and misrepresentation in violation of Rule 8.4(c); and
- (b) By filing at least one forged document with a court, Lewis engaged in conduct involving dishonesty, fraud, deceit and misrepresentation in violation of Rule 8.4(c) and made a false statement of material fact to a tribunal in violation of Rule 3.3(a)(1).

WHEREFORE, Plaintiff prays that:

- (1) Disciplinary action be taken against Defendant in accordance with N.C. Gen. Stat. § 84-28(a) and § .0114 of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C.A.C. 1B § .0114), as the evidence on hearing may warrant;
- (2) Defendant be taxed with the administrative fees and costs permitted by law in connection with this proceeding; and
- (3) For such other and further relief as is appropriate.

This the 17th day of November, 2010.



Ronald G. Baker, Sr., Chair
Grievance Committee



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