

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
08 DHC 22

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

GREY HOLLAND MCCORMICK,
Attorney,

Defendant

CONSENT ORDER
TRANSFERRING
DEFENDANT TO DISABILITY
INACTIVE STATUS

This matter was considered by a hearing committee of the Disciplinary Hearing Commission composed of Theodore C. Edwards, II, Chair, and members Sharon B. Alexander and Michael J. Houser. Jennifer A. Porter and Melissa D. Donahue represented Plaintiff, the North Carolina State Bar. Alan M. Schneider represented Defendant, Grey Holland McCormick ("McCormick"). Both parties stipulate and agree to the findings of fact and conclusions of law recited in this consent order and to the transfer of Defendant to disability inactive status. Defendant freely and voluntarily waives any and all right to appeal the entry of this consent order transferring her to disability inactive status. Based upon the stipulations of fact and the consent of the parties, the hearing committee hereby finds by clear, cogent, and convincing evidence 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. McCormick was admitted to the North Carolina State Bar in 1988, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

3. On June 4, 2008, judgment was entered convicting McCormick of one felony count of possession with the intent to manufacture, sell or deliver a Schedule I controlled substance (methadone tablets) in violation of N.C. Gen. Stat. § 90-95 (a)(1)

and one misdemeanor count of knowingly keeping or maintaining a store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any other place whatever, which is resorted to by persons using controlled substances for the purpose of using such substances, or which is used for the keeping or selling of the same in violation of N.C. Gen Stat. §90-108(a)(7).

4. McCormick was convicted of criminal offenses showing professional unfitness as defined in 27 N.C. Admin. Code 1B § .0103(17).

5. The complaint in this action was filed by the North Carolina State Bar on April 23, 2009. McCormick was properly served with process.

6. McCormick filed a Notice of Disability on May 19, 2009 pursuant to 27 N.C. Admin. Code 1B, Section § .0118(c)(1) of the North Carolina State Bar Discipline and Disability Rules asserting she was disabled within the meaning of Section .0103(19) of said Rules.

7. McCormick presently suffers from both physical and mental disorders that significantly impair her professional judgment, performance or competence as an attorney.

8. Dr. Steven T. Guse, M.D., who is Board certified in physical medicine and rehabilitation, has diagnosed McCormick as suffering from Myofascial Pain Syndrome with recurrent headaches and near constant neck and shoulder pain; facial trauma with some nerve damage; and Complex Regional Pain Syndrome. Based on her ongoing chronic pain, McCormick takes controlled substances which may cause mild cognitive impairment. It is Dr. Guse's opinion, based on these diagnoses and a mental condition from chronic narcotic use and physical dependence, that McCormick is disabled. Further, it is Dr. Guse's opinion that McCormick's physical and mental disorders adversely affect her ability to practice law and that McCormick is unable to continue in the practice of law.

9. Dr. Charles D. Godwin, M.D., Psychiatrist, has diagnosed McCormick with Major Depression and Post Traumatic Stress Disorder. It is Dr. Godwin's opinion that McCormick is disabled due to physical and mental disorders which may significantly impair her professional judgment, performance and competence to practice law.

10. Mr. Bruce R. Arnold, LCSW, states McCormick's diagnosis is Post Traumatic Stress Disorder and that McCormick is subject to episodes of panic at unpredictable moments. It is Mr. Arnold's opinion that McCormick is disabled and unable to reliably perform her duty as a lawyer.

11. McCormick consents to being transferred to disability inactive status.

Based on the foregoing Findings of Fact, the hearing committee enters the following

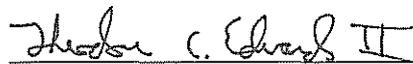
CONCLUSIONS OF LAW

1. All parties are properly before the Hearing Committee, and the Committee has jurisdiction over McCormick and the subject matter of this proceeding.
2. McCormick has voluntarily consented to being transferred to disability inactive status with the North Carolina State Bar.
3. McCormick is disabled within the meaning of 27 N.C. Admin. Code 1B § .0103(19), and McCormick should be transferred to disability inactive status pursuant to 27 N.C. Admin. Code 1B § .0118.

ORDER

1. McCormick is hereby transferred to disability inactive status.
2. McCormick shall refrain from practicing law in North Carolina until reinstated to active status pursuant to 27 N.C. Admin. Code 1B § .0125(c).
3. The disciplinary action filed by the State Bar is stayed until such time as McCormick is reinstated to active status.
4. The North Carolina State Bar, pursuant to Rule .0118(f), may continue to investigate the allegations of misconduct against McCormick, including the taking of whatever depositions it deems necessary to preserve evidence regarding the allegations contained in the complaint. No further orders of this Committee shall be necessary to take such depositions unless sought by McCormick.
5. McCormick shall be taxed with the costs of this action.

Signed by the Chair with the consent of the other hearing committee members, this 5th day of August, 2009.



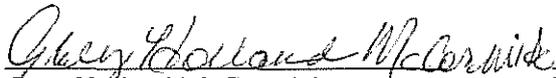
Theodore C. Edwards, II, Chair
Disciplinary Hearing Committee

CONSENTED TO BY:
(signatures on next page)

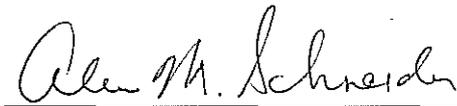
Consent Order Transferring Defendant to Disability Inactive Status in the case of
The North Carolina State Bar v. Grey Holland McCormick
08 DHC 22

CONSENTED TO BY:

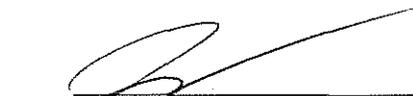
Each of the undersigned hereby acknowledges receipt, review, and consent to the above
referenced three page order:



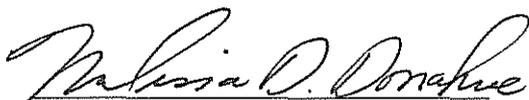
Grey Holland McCormick Date
Defendant 7-30-09



Alan M. Schneider Date
Counsel for Defendant 7/29/09



Jennifer A. Porter Date
Deputy Counsel 8-3-09
Counsel for Plaintiff



Melissa D. Donahue Date
Deputy Counsel 8-3-09
Counsel for Plaintiff