

FILED

2012 JAN 13 PM 4:04

WAKE COUNTY
NORTH CAROLINA

IN THE GENERAL COURTS OF JUSTICE
WAKE COUNTY SUPERIOR COURT DIVISION
11 CVS 014298

BY

THE NORTH CAROLINA STATE BAR,
PETITIONER,

v.

TODD M. PEEBLES, ATTORNEY,
RESPONDENT.

CONSENT ORDER OF
DISBARMENT

THIS MATTER came on to be heard and was heard by the undersigned Judge of the Superior Court of Wake County. Petitioner, the North Carolina State Bar, was represented by Katherine E. Jean. Respondent, Todd M. Peebles, was represented by Alan M. Schneider.

Based upon the Affidavit of Surrender of Law License submitted to the court by Peebles, the court makes the following:

FINDINGS OF FACT

1. Peebles misappropriated entrusted funds totaling \$262,851.21 and utilized those funds for his own personal benefit or for the benefit of third parties without authorization to do so from the beneficial owners of the funds.
2. After the State Bar began to examine his trust account, Peebles borrowed \$265,500.00 and deposited it into the trust account. His purpose was to provide funds with which to reimburse clients for the losses caused by the misappropriations described in paragraph 1 above.

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

CONCLUSIONS OF LAW

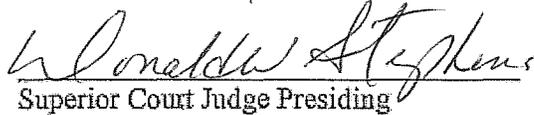
1. By misappropriating entrusted funds and utilizing them for his own personal benefit or for the benefit of a third party without authorization to do so from the beneficial owners of the funds, Peebles violated Rules 1.15-2(a) and (j) and 8.4 (c) of the Rules of Professional Conduct.

2. Peebles' misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. Section 84-28(b)(2).

IT IS NOW, THEREFORE, ORDERED:

1. Todd M. Peebles is DISBARRED from the practice of law in North Carolina.
2. Peebles shall comply with the provisions of Subchapter B, Section .0124 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Subchapter B, Section .0124.
3. The costs and administrative fees of this action are taxed against Peebles.

Done and Ordered this 13 day of January, 2012.


Superior Court Judge Presiding

WE CONSENT


Todd M. Peebles
Respondent


Alan M. Schneider
Attorney for Respondent


Katherine E. Jean
Attorney for Petitioner

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WAKE COUNTY
NORTH CAROLINA

WAKE COUNTY 066
IN THE GENERAL COURTS OF JUSTICE
SUPERIOR COURT DIVISION
11 CVS 014298

BY _____

THE NORTH CAROLINA STATE BAR,)	
PETITIONER,)	
)	
v.)	AFFIDAVIT OF SURRENDER
)	OF LAW LICENSE
)	
TODD M. PEEBLES, ATTORNEY,)	
RESPONDENT.)	

Todd M. Peebles, 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. I affirm that I have obtained the advice and counsel of an attorney before submitting this Affidavit.
3. I am aware that there is pending an investigation regarding allegations that I misappropriated entrusted funds totaling \$262,851.21 and utilized those funds for my own personal benefit or for the benefit of third parties without authorization to do so from the beneficial owners of the funds.
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. After the State Bar began to examine my trust account, I borrowed \$265,500.00 and deposited it into the trust account. My purpose was to provide funds with which to reimburse clients for the losses caused by the misappropriations described in paragraph 3 above.

6. 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.

This the 12th day of JANUARY, 2012.

Todd M. Peebles
Todd M. Peebles

I, Shari D. Trussler, Notary Public of the County of Forsyth, State of North Carolina, certify that Todd M. Peebles personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of his own personal knowledge, and executed the foregoing Affidavit.

Sworn to and subscribed before me

This the 12th day of January, 2012.

Shari D. Trussler
Notary Public

My Commission Expires: 6-23-16

