

WAKE COUNTY

IN THE GENERAL COURTS OF JUSTICE
SUPERIOR COURT DIVISION

NORTH CAROLINA

09 CVS

THE NORTH CAROLINA STATE BAR,)
 PETITIONER,)
 v.)
 DEMETRIUS G. RAINER, ATTORNEY,)
 RESPONDENT.)

AFFIDAVIT OF SURRENDER
OF LAW LICENSE

Demetrius G. Rainer, 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.
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 an investigation regarding allegations that I (a) engaged in a conspiracy with members of Mortgage Fraud Cell No. 3 to commit offenses against the United States, including making a false statement in relation to a loan, engaging in mail fraud and engaging in bank fraud, in violation of 18 U.S.C. 1014, 1341 and 1344; (b) engaged in a conspiracy with members of Mortgage Fraud Cell No. 3 to launder monetary proceeds of fraudulent real estate transactions in violation of 18 U.S.C. 1956(h); (c) engaged with members of Mortgage Fraud Cell No. 3 in mail fraud in violation of 18 U.S.C. 1341; and (d) engaged in a conspiracy with Alfreda McLean to launder monetary proceeds of the unlawful distribution of controlled substances in violation of U.S.C. 1956(h).
4. I have entered my plea of guilty to these charges. I am in fact guilty of these charges.
5. I acknowledge the truth of the material facts upon which the investigation is predicated.
6. I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

This the 2 day of February, 2009.



 Demetrius G. Rainer

I, Lou Anne W. Heath, Notary Public of the County of Mecklenburg, State of North Carolina, certify that Demetrius G. Rainer personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of her own personal knowledge, and executed the foregoing Affidavit.

This the 2 day of February, 2009.

Lou Anne W. Heath
Notary Public

My Commission Expires: August 9, 2010

WAKE COUNTY
NORTH CAROLINA

IN THE GENERAL COURTS OF JUSTICE
SUPERIOR COURT DIVISION
09 CVS

THE NORTH CAROLINA STATE BAR,)	
PETITIONER,)	
)	
v.)	CONSENT ORDER
)	OF
)	DISBARMENT
DEMETRIUS G. RAINER, ATTORNEY,)	
RESPONDENT.)	

RECEIVED
 CLERK OF SUPERIOR COURT
 WAKE COUNTY, NC
 11/15/09

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, Demetrius G. Rainer, was represented by James F. Wyatt, III and Robert A. Blake, Jr.

Based upon the Affidavit of Surrender of Law License submitted to the court by Demetrius G. Rainer, the court makes the following:

FINDINGS OF FACT

1. Demetrius G. Rainer operated a law office in Charlotte, North Carolina.
2. Rainer combined and conspired with Mortgage Fraud Cell No. 3 as alleged in the Bill of Information filed in Case No. 3:08-cr-00239-MR pending in the United States District Court for the Western District of North Carolina. Rainer combined and conspired with Alfreda McLean as alleged in the Bill of Information filed in Case No. 1:08 cr 439 pending in the United States District Court for the Eastern District of Virginia.
3. Rainer has entered a plea of guilty in 3:08-cr-00239-MR to the following criminal offenses: (a) engaging in a conspiracy with members of Mortgage Fraud Cell No. 3 to commit offenses against the United States, including making a false statement in relation to a loan, engaging in mail fraud and engaging in bank fraud, in violation of 18 U.S.C. 1014, 1341 and 1344; (b) engaging in a conspiracy with members of Mortgage Fraud Cell No. 3 to launder monetary proceeds of fraudulent real estate transactions in violation of 18 U.S.C. 1956(h); (c) engaging with members of Mortgage Fraud Cell No. 3 in mail fraud in violation of 18 U.S.C. 1341; and (d) engaging in a conspiracy with Alfreda McLean to launder the monetary proceeds of the unlawful distribution of controlled substances in violation of 18 U.S.C. 1956(h).
4. Rainer is in fact guilty of these charges.

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

CONCLUSIONS OF LAW

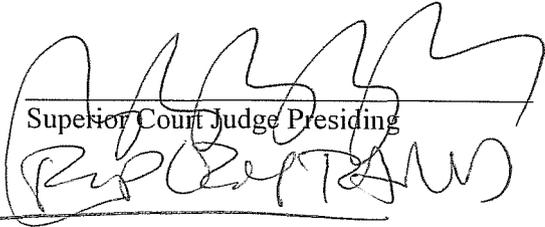
1. By (a) engaging in a conspiracy with members of Mortgage Fraud Cell No. 3 to commit offenses against the United States, including making a false statement in relation to a loan, engaging in mail fraud and engaging in bank fraud, in violation of 18 U.S.C. 1014, 1341 and 1344; (b) engaging in a conspiracy with members of Mortgage Fraud Cell No. 3 to launder the monetary proceeds of fraudulent real estate transactions in violation of 18 U.S.C. 1956(h); (c) engaging with members of Mortgage Fraud Cell No. 3 in mail fraud in violation of 18 U.S.C. 1341; and (d) engaging in a conspiracy with Alfreda McLean to launder the monetary proceeds of the unlawful distribution of controlled substances in violation of U.S.C. 1956(h), Rainer violated Rules 8.4(b) and (c) of the North Carolina Revised Rules of Professional Conduct.

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

IT IS NOW, THEREFORE, ORDERED:

- 1. Demetrius G. Rainer is DISBARRED from the practice of law in North Carolina. The disbarment is effective upon entry of this order by the court.
- 2. Rainer shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0124 of the Rules and Regulations of the North Carolina State Bar and shall surrender her license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0124. Rainer has been given time to wind down her law practice prior to entry of this disbarment order; accordingly, her affidavit of compliance with the provisions of Section .0124 must be received by the State Bar within 10 days of the entry of this order.
- 3. The costs of this action are taxed against Demetrius G. Rainer.

Done and Ordered this 5th day of March, 2009.


 Superior Court Judge Presiding

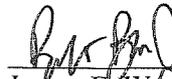
WE CONSENT:



 Katherine E. Jean
 Attorney for the North Carolina State Bar



 Demetrius G. Rainer



 James F. Wyatt III
 Robert A. Blake, Jr.
 Attorneys for Respondent