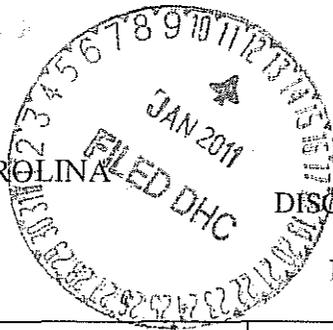


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE
 DISCIPLINARY HEARING COMMISSION
 OF THE
 NORTH CAROLINA STATE BAR
 10 DHC 37

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

THEOPHILUS O. STOKES, III, Attorney,

Defendant

ORDER OF
INTERIM SUSPENSION

THIS CAUSE came before the undersigned Chair of the Disciplinary Hearing Commission pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0115(d) of the Discipline & Disability Rules of the North Carolina State Bar on motion of the State Bar for an order of interim suspension of the license to practice law in North Carolina of Theophilus O. Stokes, III based upon his plea of guilty to a crime showing professional unfitness in Guilford County Superior Court, North Carolina. No response to the State Bar's motion was filed by or on behalf of Mr. Stokes. Based upon the motion and the certified copy of Mr. Stokes' guilty plea and judgment, the undersigned hereby makes the following:

FINDINGS OF FACT

1. Theophilus O. Stokes, III ("Stokes"), was admitted to the North Carolina State Bar in 1984 and is and was at all times referred to herein, an attorney at law, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of North Carolina.
2. The current address of record for Stokes with the North Carolina State Bar is P.O. Box 20491, Greensboro, NC 27420.
3. On December 9, 2010, Stokes entered a plea of guilty pursuant to the *Alford* decision to two misdemeanor offenses of receiving stolen goods in violation of N.C. Gen. Stat. § 14-72. The Guilford County Superior Court accepted Stokes' plea and found Stokes guilty of these offenses. A certified copy of the Transcript of Plea, the Bills of Information, the Judgments, and associated paperwork was attached to the State Bar's motion as Exhibit 1.
4. As set out in the Bills of Information, Stokes pled guilty to two incidents of "knowingly, willfully, and unlawfully" receiving property stolen by another "knowing, or with reasonable grounds to believe, that it was stolen and did so

with a dishonest purpose.” The stolen property at issue were checks which were worthless and consisted of stolen funds in the amount of \$35,000.00 and \$45,000.00.

Based upon the foregoing FINDINGS OF FACT, the undersigned makes the following

CONCLUSIONS OF LAW

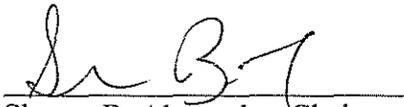
1. The offense to which Stokes pled and was found guilty constitutes a criminal offense showing professional unfitness as defined by Rule .0103(17) of the State Bar Discipline & Disability Rules.
2. Rule .0115(d) of Subchapter B of the Discipline & Disability Rules of the State Bar authorizes the Chair of the Disciplinary Hearing Commission to enter an order suspending an attorney’s license pending disposition of the disciplinary proceeding against the member upon receipt of a certified copy of the attorney’s conviction, plea of guilty, or plea of no contest to a criminal offense showing professional unfitness.

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 license to practice law in North Carolina of Theophilus O. Stokes, III is hereby SUSPENDED until the conclusion of all disciplinary matters pending before the North Carolina State Bar relating to his plea of guilty in Guilford County Superior Court, North Carolina to a crime showing professional unfitness.
2. Stokes will comply with all requirements of 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0124 of the North Carolina State Bar Discipline & Disability Rules for winding down his law practice.

This the 11 day of January, 2011.


Sharon B. Alexander, Chair
Disciplinary Hearing Commission