



STATE OF NORTH CAROLINA

WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
11 DHC 23

In re: BENJAMIN J. VILOSKI

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 petition for an order of interim suspension of Benjamin J. Viloski's license to practice law in North Carolina based upon his being found guilty of crimes showing professional unfitness in the United States District Court for the Northern District of New York. Based upon the petition and the certified copy of the verdict form, the undersigned hereby makes the following

FINDINGS OF FACT

1. Benjamin J. Viloski ("Viloski") was licensed to practice law in North Carolina on 24 February 2006 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 Viloski with the North Carolina State Bar is P.O. Box 40, Oak Island, North Carolina 28465.

3. Viloski was charged with twenty felony counts in United States District Court for the Northern District of New York in *United States v. Benjamin Viloski*, case #5:09-CR-00418.

4. On 29 July 2011, a jury found Viloski guilty of the following felony offenses:

- Count 1: Conspiracy to Commit Mail and Wire Fraud
- Counts 2 & 5: Mail Fraud
- Count 12: Conspiracy to Commit Money Laundering and Transactions in Criminally Derived Property
- Counts 13, 14 & 15: Aiding and Abetting Concealment Money Laundering
- Count 16: Aiding and Abetting Transactions in Criminally Derived Property
- Count 31: False Statements to Federal Agents

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

CONCLUSIONS OF LAW

1. The felony offenses for which Benjamin J. Viloski was found guilty are serious crimes showing professional unfitness to practice law as defined by Rule .0103(17) of the State Bar Discipline & Disability Rules and N.C. Gen. Stat. § 84-28(b).

2. The undersigned is authorized, pursuant to Rule .0115(d) of the State Bar Discipline & Disability Rules, to enter an order suspending an attorney's license upon receipt of a certified copy of a guilty verdict to a serious crime showing professional unfitness to practice law.

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED:

That Benjamin J. Viloski's license to practice law in North Carolina is hereby SUSPENDED until the conclusion of all disciplinary matters arising out of and related to the above-referenced convictions in the United States District Court for the Northern District of New York and that Benjamin J. Viloski shall comply with the provisions of 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0124(c).

This the 16 day of August, 2011.



Sharon B. Alexander, Chair
Disciplinary Hearing Commission