

regulations of the North Carolina Probation Commission and on the further conditions: (1) That he comply with the rules and regulations of the North Carolina Department of Correction;(2) That he violate no penal law of any State or Federal Government for four (4) years; (3) That he shall not practice law in the State of North Carolina or any other State or the District of Columbia; and (4) That he pay a fine of \$3,000.00 and the costs from his personal earnings and under the supervision of the Probation Officer.

4. That John T. Morrissey acknowledges the charges of embezzlement and acknowledges the truth of the facts which constitute the misconduct and desires to resign and surrender his license to practice law.

5. That the facts which give rise to the indictment and conviction of John T. Morrissey, which constitute the misconduct acknowledged by John T. Morrissey, were:

(a) That during the period of July, 1974 through January 14, 1977, financial improprieties in the management and conservation of the funds and monies of the North Carolina Association of County Commissioners occurred, for which Mr. Morrissey is fully responsible and said sums total \$43,466.02.

(b) That a portion of the funds were not and cannot be accurately accounted for. Mr. Morrissey received the benefit of some unauthorized expenditures. A substantial portion of these funds were expended in behalf of the Association without authorization and not pursuant to any written policies. He accepts full responsibility for any unauthorized expenditures, any unverified and unauthorized advancements to him and for any unaccounted for funds.

(c) That during 1975 and 1976 Mr. Morrisey made unauthorized charges to the Association's American Express credit card which totaled \$5,240.38.

(d) That during 1974, 1975 and 1976 Mr. Morrisey made unauthorized airline charges to the Association that total \$1,427.12.

(e) That during 1974, 1975 and 1976 Mr. Morrisey made unauthorized charges to the Association to Fallons Florist totaling \$325.14.

(f) That during 1974, 1975 and 1976 Mr. Morrisey made unauthorized charges to the Association for expenses at the Angus Barn totaling \$204.62.

(g) That during 1974, 1975, 1976 and 1977 Mr. Morrisey received reimbursement for unauthorized expenditures that total \$1,416.37.

(h) That during 1974, 1975 and 1976 Mr. Morrisey received expense advances that totaled \$10,884.00 for which he did not submit appropriate documentation.

(i) That at the Association's annual conference in Pinehurst, N.C. in 1976 he did not account to the Association for the receipt of \$4,820.76.

(j) That at the Association's annual conference in Asheville, N.C. in 1975 Mr. Morrisey did not account to the Association for the receipt of \$6,275.53.

(k) That at the City-County Manager's meeting in Wrightsville Beach, N.C. in 1976 he did not account to the Association for the receipt of \$1,925.62.

(l) That at the first County Congress in Raleigh, N.C. in 1976 Mr. Morrisey, did not account to the Association for the receipt of \$147.00.

(m) That during the Legislative Conference in Greensboro, N.C. in 1976 he did not account to the Association for the receipt of \$4,403.52.

(n) That during the Annual Association Conference in Winston-Salem, N.C. in 1974 he did not account to the Association for the receipt of \$6,395.76.

6. That the matters giving rise to the misconduct of John T. Morrisey are the subject of a current investigation being made by the Grievance Committee of The North Carolina State Bar.

7. That the Tender of Surrender of his license by John T. Morrisey is freely and voluntarily tendered; that it is not the result of coercion or duress; and that John T. Morrisey is fully aware of the implications of submitting this tender of license.

8. That John T. Morrisey does not desire to contest the charges of misconduct now under investigation and feels if the charges were litigated, he could not successfully defend himself against the charges.

After giving full consideration to the report and recommendation of the Special Committee on John T. Morrisey and facts found in this case, based upon the affidavit of John T. Morrisey and the judgment entered by Judge Donald L. Smith, the Council concludes that John T. Morrisey's misconduct is a violation of Disciplinary Rules 9-102(A) and 9-102(B) of the North Carolina Code of Professional Responsibility and upon motion duly made and seconded, the Council:

RESOLVED, that the license to practice law in North Carolina heretofore issued to John T. Morrisey of Raleigh, North Carolina, and being tendered by John T. Morrisey, through his attorney T. LaFontine Odom, Esquire, be accepted as a surrender to license and John T. Morrisey is disbarred from the practice of law in North Carolina beginning July 15, 1977;

BE IT FURTHER RESOLVED, that John T. Morrisey be taxed with the cost of this proceeding; be it further resolved that the President is authorized and directed to enter an appropriate order.

Pursuant to the resolution adopted by the Council of The North Carolina State Bar, John T. Morrisey is hereby disbarred from the practice of law in North Carolina from July 15, 1977 and that he is not to engage in the practice of law in North Carolina hereafter; that he be taxed with the cost of this proceeding; that a copy of this order be forwarded to the General Court of Justice of the State of North Carolina and to the appropriate authorities of the United States Federal Courts in the State of North Carolina.

Done at Raleigh, North Carolina, pursuant to the resolution duly adopted by the Council of The North Carolina State Bar on July 15, 1977.

This 15th day of July, 1977.


George J. Miller, President
The North Carolina State Bar