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NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
77DHC7

THE NORTH CAROLINA STATE BAR,)
Plaintiff)
vs.)
GEORGE L. BUMPASS, Attorney)
Defendant)

ENTRY OF DEFAULT

WHEREAS, it has been made to appear to the undersigned Hearing Committee of the Disciplinary Hearing Commission of The North Carolina State Bar that:

1. The North Carolina State Bar filed the Complaint in this action on March 15, 1977;
2. The Summons and Notice and Complaint were served on defendant on March 28, 1977 by a Deputy Sheriff of Durham County by reading the Summons and Notice to defendant and leaving two copies of Summons and Notice and Complaint with defendant;
3. More than twenty days have elapsed since service of Complaint and the defendant has failed to file Answer admitting, denying or explaining the Complaint, or asserting grounds for failing to do so; and

WHEREAS, the defendant is neither an infant nor incompetent, and

WHEREAS, this Hearing Committee has personal jurisdiction over defendant under the provisions of Chapter 84 of the General Statutes of North Carolina and Article IX of the Rules and Regulations of The North Carolina State Bar, and

WHEREAS, the North Carolina State Bar having filed a timely motion for default;

NOW THEREFORE, default is hereby entered against
GEORGE L. BUMPASS, the defendant in this action, as provided
by Section 14(6), Article IX of the Rules and Regulations of
The North Carolina State Bar.

This the 29th day of June, 1977.

J. Mac Boxley
J. Mac Boxley, Chairman

R. Powell Majors
R. Powell Majors

Dudley Humphrey, Jr.
Dudley Humphrey, Jr.



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Defendant)

FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

The undersigned Hearing Committee of the Disciplinary Hearing Commission of The North Carolina State Bar having entered default against defendant, the allegations contained in the Complaint are deemed admitted. Based on those admitted allegations and evidence presented by The North Carolina State Bar, the Hearing Committee makes the following findings of fact:

1. The plaintiff, The North Carolina State Bar, is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of The North Carolina State Bar promulgated thereunder.

2. The defendant, George L. Bumpass, was admitted to The North Carolina State Bar in 1957, and is and was at all times referred to herein, an Attorney at Law, licensed to practice law in the State of North Carolina, subject to the Rules, Regulations, Canons of Ethics and Code of Professional Responsibility of The North Carolina State Bar and the laws of the State of North Carolina.

3. At and during all of the times hereinafter referred to, the defendant was actively engaged in the practice of an attorney in the State of North Carolina and maintained a law office in the City of Durham, Durham County, North Carolina.

4. In August, 1974, the defendant was employed by Howard Lee (hereinafter referred to as "Lee") to represent him and his family in a claim arising out of an automobile accident in which Lee and the other members of his family were injured.

5. Shortly thereafter, the defendant informed Lee that the suit had been settled and that he and his family had been awarded \$5,000.00. The defendant further advised Lee that upon receipt of bank drafts that Lee was instructed to endorse said checks, execute the insurance company release form, and return the checks and the releases to the defendant.

6. Lee complied with these instructions and returned the \$5,000.00 check and releases to the defendant. Thereafter, despite repeated inquiries and requests, the defendant failed and refused to communicate with Lee and failed and refused to pay over to Lee any monies received by the defendant for and on behalf of Lee.

7. Based on the foregoing findings of fact, the Hearing Committee concludes that the conduct of the defendant constitutes a violation of General Statute 84-28(b)(2), in that:

- A. The defendant failed and refused to properly pay over or to deliver to his client, Howard Lee, as requested, the funds in the possession of the defendant to which the client, Mr. Lee, was entitled, in violation of Disciplinary Rule 9-102 (B)(4) of the Code of Professional Responsibility;
- B. The defendant failed to preserve the identity of the funds and property of his client, Howard Lee, in violation of Disciplinary Rule 9-102(A) of the Code of Professional Responsibility;
- C. The defendant wrongfully and deceitfully converted to his own use the funds of his client, Howard Lee, in violation of Disciplinary Rule 1-102(A)(4);

- D. The defendant engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation in violation of Disciplinary Rule 1-102(A)(4) of the Code of Professional Responsibility;
- E. The defendant engaged in professional conduct that was prejudicial to the administration of justice and that adversely reflect upon his fitness to practice law in violation of Disciplinary Rule 1-102(A)(5)(6) of the Code of Professional Responsibility.

This the 29th day of June, 1977.

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J. Mac Boxley, Chairman

R. Powell Majors
R. Powell Majors

Dudley Humphrey, Jr.
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ORDER

THE HEARING COMMITTEE having entered default against the defendant and having made findings of fact and conclusions of law, and

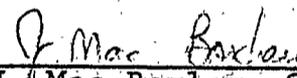
THE COMMITTEE further having heard evidence according to The Rules and Regulations of The North Carolina State Bar, Article IX, Section 14 (19) relevant to the discipline to be imposed

IT IS NOW, THEREFORE, ORDERED:

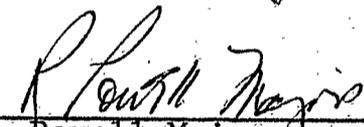
1. That the defendant, George L. Bumpass, be disbarred under the provision of North Carolina General Statute 84-28 (c) (1).

2. That the costs of this disciplinary action be paid by the defendant, George L. Bumpass.

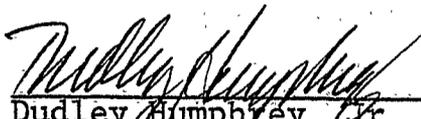
This the 27th day of June, 1977.



J. Mac Boxley, Chairman



R. Powell Majors



Dudley Humphrey, Jr.