

NORTH CAROLINA
WAKE COUNTY

FILED
1985 JUN -7 PM 4:10
B.E. JAMES, SEC.
THE N.C. STATE BAR
BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
85 DHC 6

THE NORTH CAROLINA STATE BAR,)
Plaintiff)
vs.) CONSENT ORDER OF DISCIPLINE
AMOS E. LINK, JR.,)
Defendant)

This matter coming on to be heard and being heard on May 24, 1985 before the Hearing Committee composed of Philip A. Baddour, Jr., Chairman, Robert W. Wolf, and Harry Sherwood; with A. Root Edmonson appearing for the North Carolina State Bar and Joseph B. Cheshire, V appearing for Defendant; and based upon the stipulations and the evidence offered at the hearing, the Committee finds the following by clear, cogent, and convincing evidence:

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, Amos E. Link, Jr., was admitted to the North Carolina State Bar on October 4, 1973, and is, and was at all times referred to herein, an Attorney at Law licensed to practice in North Carolina, subject to the rules, regulations, and Code of Professional Responsibility of the North Carolina State Bar and of the laws of the State of North Carolina.
3. During all of the periods referred to herein, the Defendant was actively engaged in the practice of law in the State of North Carolina and maintained a law office in the City of Raleigh, Wake County, North Carolina.
4. On August 16, 1983, at Defendant's law office, Defendant was presented with a dark blue Bill Blass suit having a value of \$254.80 by an undercover agent working for the Raleigh Police Department. Said agent presented the suit as stolen property.

5. Defendant agreed to purchase the suit from the undercover agent for \$100.00 or find someone else to purchase it.

6. Defendant instructed the undercover agent to leave the suit and return later that afternoon for either the suit or the \$100.00.

7. The undercover agent later returned and collected \$100.00 for the suit.

8. At the time he retained possession of the suit, Defendant had reasonable grounds to believe that it had been stolen.

9. Defendant tendered a plea of no contest to the criminal offense of misdemeanor Attempt to Receive Stolen Property and the court accepted such plea on September 21, 1984. Such criminal offense shows professional unfitness.

10. On August 18, 1983, at Defendant's law office, Defendant was presented with one gray suit, one beige sport coat and two Polo shirts having a total value of \$418.60 by an undercover agent working for the Raleigh Police Department. Said agent presented the items as having been stolen.

11. The undercover agent requested \$150.00 for all of the items.

12. Defendant advised the undercover agent that he needed to get some money and requested that the agent come back on the following day.

13. Defendant left \$120.00 for the undercover agent with his secretary later that afternoon.

14. On August 19, 1983, the undercover agent returned to Defendant's law office and talked with Defendant. The undercover agent agreed to accept \$120.00 for the items. Defendant advised the agent that he had left the \$120.00 with his secretary who had gone home for the day.

15. Defendant took possession of the aforementioned items having reasonable grounds to believe they were stolen.

16. Defendant entered a plea of no contest to the criminal offense of misdemeanor Attempt to Receive Stolen Property and the court accepted such plea on September 21, 1984. Such criminal offense shows professional unfitness.

BASED UPON the foregoing FINDINGS OF FACT the Hearing Committee makes the following:

CONCLUSIONS OF LAW

Defendant violated N.C.G.S. §84-28(b)(1) by tendering a plea of no contest to a criminal offense showing professional unfitness, said plea being accepted, and a final judgment being entered thereon.

BASED UPON the foregoing FINDINGS OF FACT AND CONCLUSIONS OF LAW, and with the consent of the parties, the Hearing Committee enters the following ORDER OF DISCIPLINE:

(1) Defendant, Amos E. Link, Jr. is hereby suspended from the practice of law in the State of North Carolina for a period of three years.

(2) One hundred and twenty (120) days of said suspension shall be active and the remainder shall be stayed upon the following conditions:

- (a) During the active part of Defendant's suspension, Defendant shall perform two-hundred hours (200) of non-law related community service work approved by the Counsel to the North Carolina State Bar.
- (b) Defendant shall not serve as a law clerk or paralegal during the 120 days of active suspension.
- (c) Defendant shall not violate any of the Disciplinary Rules during the stayed portion of his suspension.

(3) Defendant shall surrender his license and membership card to the Secretary of the North Carolina State Bar.

(4) Defendant shall comply with §24 of Article IX of the Rules and Regulations of the North Carolina State Bar.

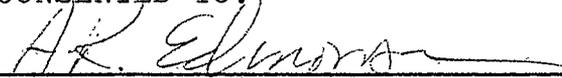
(5) The costs of this action are hereby taxed against the Defendant.

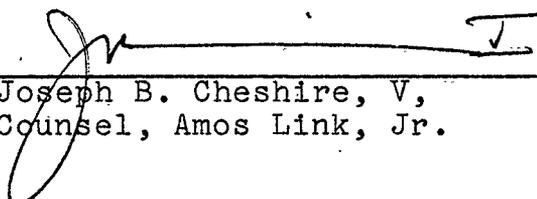
Signed by the undersigned Chairman of the Hearing Committee
with the consent of the other members of the Hearing Committee.

This the 16th day of ^{JUNE}~~May~~, 1985.


Philip A. Baddour, Jr., Chairman
The Disciplinary Hearing Committee

CONSENTED TO:


A. Root Edmonson, Counsel
The North Carolina State Bar


Joseph B. Cheshire, V,
Counsel, Amos Link, Jr.