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NORTH CAROLINA

WAKE COUNTY

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J.E. JAMES, SEC.  
THE N.C. STATE BAR

BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF THE  
NORTH CAROLINA STATE BAR  
85 DHC 4

THE NORTH CAROLINA STATE BAR, )  
Plaintiff )  
vs. )  
J. WILTON HUNT, Sr. )  
Defendant )

FINDINGS OF FACT AND  
CONCLUSIONS OF LAW

This matter being heard on July 12, 1985 by a hearing committee composed of Frank B. Wyatt, Chairman, Robert W. Wolf, and John W. Beach; with A. Root Edmonson representing the North Carolina State Bar and with the defendant not appearing; and based upon a certified copy of the defendant's conviction and the appellate courts' affirmation of that conviction; and based further upon the defendant's failure to file an answer or otherwise plead in this matter, the hearing committee finds the following by clear, cogent and convincing evidence:

FINDINGS OF FACT

1. The defendant, J. Wilton Hunt, Sr., was admitted to the North Carolina State Bar on September 1, 1962 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.

2. At and during all of the times relevant to defendant's misconduct, the defendant was a District Court Judge in the Thirteenth Judicial District living in Whiteville, Columbus County, North Carolina.

3. On February 2, 1983, defendant was found guilty by a jury of: (1) one count of conspiracy to conduct the affairs of an enterprise, his judgeship, through a pattern of racketeering activity, accepting bribes in violation of North Carolina law, 18 U.S.C. §1962(d) and §1963 (the Rico Statute); and (2) one count of facilitating the making of an interstate telephone call with the intent to carry on an unlawful activity, gambling in violation of North Carolina law, 18 U.S.C. §1952(a).

4. On April 5, 1983, Judge James C. Cacheris entered judgment in the above-referenced case in the United States District Court for the Eastern District of North Carolina, docket number 82-21-01-CR-7.

5. The crimes defendant was convicted of serious crimes as defined in §3(30) of Article IX of the Rules and Regulations of the North Carolina State Bar (The Red Book).

6. The crimes defendant was convicted of are criminal offenses showing professional unfitness.

7. The crimes defendant was convicted of are criminal offenses involving moral turpitude.

8. In an opinion decided November 28, 1984, the United States Court of Appeals for the Fourth Circuit affirmed the conviction of defendant.

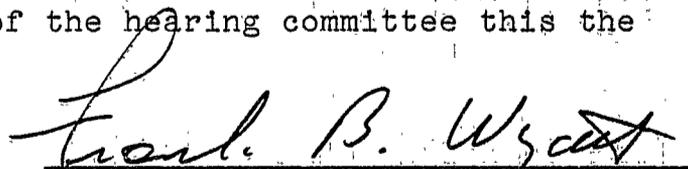
9. By Order dated June 17, 1985, the United States Supreme Court denied defendant's Petition for Writ of Certiorari to review his criminal convictions.

BASED UPON the foregoing Findings of Fact, the hearing committee makes the following:

CONCLUSIONS OF LAW

- (a) The conduct of defendant as set forth above constitutes grounds for discipline pursuant to N.C.G.S. §84-28(b)(1) in that defendant was convicted of criminal offenses showing professional unfitness; and
- (b) The conduct of defendant as set forth above constitutes grounds for discipline pursuant to N.C.G.S. §84-28(b)(2) in that defendant engaged in illegal conduct involving moral turpitude in violation of DR 1-102(A)(3) of the Code of Professional Responsibility.

Signed by the Undersigned Chairman with the full accord and consent of the other members of the hearing committee this the 12<sup>th</sup> day of July, 1985.

  
Frank B. Wyatt, Chairman