

FILED

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN THE MATTER OF:)
FREDERICK ALEXANDER ROGERS, III,)
ATTORNEY AT LAW)

86-2-123-
O R D E R

THIS CAUSE came on to be heard upon Petitioner, Frederick Alexander Rogers, III's voluntary tender to this Court of his license to practice law in the State of North Carolina because of incapacity. The Petitioner represented through Affidavit filed with this Court that he has an alcohol dependency problem which he fears will affect his capacity to practice law and that he considers this a disability which supports his transfer from active to inactive status. The Petitioner further consented to the Court's entering this Order accepting Petitioner's voluntary surrender of his license, finding of disability, and transfer of the Petitioner to the inactive and disabled list of attorneys until such time as Petitioner presents to the Court evidence which satisfies the Court that he has regained his capacity to practice law.

The Court having reviewed the Affidavit of Petitioner and such evidence as this Court deems necessary to support this Order, the Court finds that there is a factual basis for this determination that the Petitioner is now disabled and for the entry of this Order finding Petitioner to be disabled and that there is further a factual basis for the exercise of this Court's inherent power to transfer Petitioner to an inactive status because of his disability.


IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Frederick Alexander Rogers, III be and hereby is transferred to inactive status as a member of the North Carolina Bar, and that this transfer is effective immediately. Upon the entry of this Order the Court acknowledges that Petitioner has surrendered to the Court his license to practice law. Upon overcoming his disability and

regaining capacity, Petitioner may petition a Resident Superior Court Judge of the Fifth Judicial District for transfer to active status and upon proof satisfactory to a Resident Superior Court Judge of the Fifth Judicial District that Petitioner has regained his capacity to practice law, the said judge may enter an Order transferring Petitioner back to active status.

Pursuant to Rule 22 of the Rules of The North Carolina State Bar, Ray Blackburn, Ralph Pennington, Jeffrey Baker and Robert U. Johnsen, all attorneys licensed to practice law in the State of North Carolina and who practice in New Hanover County in the Fifth Judicial District, are appointed to inventory the files of Petitioner in order to determine the status of each case, notify clients of Petitioner's disability and the need to take possession of their files, and to take such other action as may be appropriate in order to protect the interest of Petitioner and his clients.

A copy of this Order shall be served upon Petitioner and upon the Secretary of The North Carolina State Bar.

This the 19 day of November, 1985.


Bradford Tillery
Senior Resident Superior Court Judge
Fifth Judicial District

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

A F F I D A V I T

IN THE MATTER OF:
FREDERICK ALEXANDER ROGERS, III

I, FREDERICK ALEXANDER ROGERS, III, being first duly sworn,
depose and say:

That I acknowledge that I have a serious problem with
alcohol dependency which I am attempting to overcome. It is my
opinion that this alcohol dependency is affecting my capacity to
practice law. I am therefore tendering my license for surrender
on the condition that I be able to apply to have my license
reinstated or activated upon proof of my regaining capacity to
practice law.

This the 6 day of November, 1985.

Fredrick Alexander Rogers, III
FREDERICK ALEXANDER ROGERS, III

Sworn to and subscribed before me
this 6th day of November, 1985.

Charles E. Rea
Notary Public

My Comm. expires

(NOTARY SEAL)

Judge of the District Court
5th Judicial District