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ON SLOW COUNTY
FILED
APR 21 1986
AT 12:30 O'CLOCK 3 M.
EVERITTE BARBEE
CLERK OF SUPERIOR COURT

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NORTH CAROLINA
ON SLOW COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO.: 85-CvD-1874

CAROLYN WEBB,
Plaintiff,

VS.

ORDER

QUINTON WEBB,
Defendant.

IN THE MATTER OF A SHOW CAUSE
ORDER ISSUED AGAINST ATTORNEY
JILL R. HOWARD AND PLAINTIFF,
CAROLYN WEBB.

THIS CAUSE, coming on to be heard and being heard before the undersigned, WILLIAM M. CAMERON, JR., District Court Judge presiding over the April 21, 1986 session of Onslow District Court, upon a Show Cause Order issued by the said undersigned District Court Judge on November 6, 1985 against CAROLYN WEBB, a/k/a CAROLYN MARTIN, a/k/a CAROLYN LEVY, Plaintiff, in the above-entitled action, and her attorney, Ms. JILL R. HOWARD, to appear before this Court and show cause why they should not be held in contempt of Court and to show cause why the Judgment entered on this cause on October 25, 1985 should not be set aside pursuant to 1A-1 Rule 60(3)(6) of the Rules of Civil Procedure. By and with the consent of both parties and their attorneys, CARL S. MILSTED and JOHN T. CARTER, JR., the undersigned District Court Judge conducted a hearing into this matter pursuant to that said Show Cause Order of November 6, 1985.

A TRUE COPY

CLERK OF SUPERIOR COURT
ON SLOW COUNTY

BY Pat Jarman
Assistant, Deputy Clerk Superior Court

The Court makes the following findings of fact, conclusions of law and enters the following Order:

FINDINGS OF FACT

1. That on the morning of October 25, 1985, the undersigned District Court Judge was conducting a session of Court for uncontested divorces in Onslow Civil District Court.

2. That the captioned case was brought before this Judge in that said October 25, 1985 session of uncontested divorce Court and Plaintiff was represented by Attorney JILL R. HOWARD.

3. That Plaintiff in this captioned case sought an annulment from Defendant based upon the fact that she had previously been married to KEITH MARTIN and thought Mr. MARTIN had obtained a divorce from her before she married Defendant, QUINTON WEBB, but upon investigation, had found out that, in fact, KEITH MARTIN had not obtained an absolute divorce from this Plaintiff, CAROLYN WEBB.

4. That upon questioning by the undersigned, Plaintiff's attorney, JILL R. HOWARD, stated to the Court that she had attempted to see if Plaintiff was, in fact, granted an absolute divorce from KEITH MARTIN and had contacted KEITH MARTIN on two (2) occasions by telephone and during the second telephone conversation, Mr. MARTIN admitted to Ms. HOWARD that he had, in fact, not obtained an absolute divorce from Ms. WEBB and Ms. HOWARD then advised the Court that she thought her client was

still, at the time of her marriage to QUINTON WEBB, married to KEITH MARTIN and was therefore, seeking this annulment.

5. That the undersigned District Court Judge did, in fact, sign a Judgment dated October 25, 1985, granting to Plaintiff an annulment of her marriage to Defendant, QUINTON WEBB.

6. That during this same session of Court and on this same date of October 25, 1985, the undersigned District Court Judge was presented with an Onslow County District Court case file 85-CvD-1113, captioned CAROLYN MARTIN vs. KEITH MARTIN, in which said case file, Attorney JILL R. HOWARD had represented CAROLYN MARTIN in an annulment proceeding before the Honorable JAMES N. MARTIN on July 23, 1985 and had obtained for the said CAROLYN MARTIN an annulment from KEITH MARTIN on the grounds that CAROLYN MARTIN had thought that she was still married to DANNY GRIFFIN at the time the purported marriage to KEITH MARTIN, and Plaintiff, CAROLYN MARTIN, in that case, was allowed to resume her maiden name of CAROLYN LEVY.

7. That the undersigned District Court Judge learned after reviewing that file that the said CAROLYN LEVY, a/k/a CAROLYN MARTIN, a/k/a CAROLYN WEBB had been married nine (9) times and had failed to obtain divorces or annulments from at least the last four (4) husbands until Attorney JILL R. HOWARD started representing her.

8. That CAROLYN LEVY's last four (4) husbands in numerical order were DANNY GRIFFIN, KEITH MARTIN, QUINTON WEBB and SHAWN FRECHETTE.

9. That the pleadings filed by Ms. HOWARD in the above-captioned case, as well as in the 85-CvD-1113 case of MARTIN vs. MARTIN, indicate that Attorney JILL R. HOWARD was aware of the last four (4) husbands at the time she was in Court on October 25, 1985.

10. That bigamous marriages are void ab initio and that it was not necessary for Attorney JILL R. HOWARD to seek an annulment for her client.

11. That Attorney JILL R. HOWARD misrepresented to the undersigned District Court Judge the following facts:

(a) That the said CAROLYN WEBB was still married to KEITH MARTIN, when in fact, Ms. HOWARD had obtained an annulment from KEITH MARTIN for CAROLYN MARTIN a/k/a CAROLYN WEBB a/k/a CAROLYN LEVY on July 23, 1985 in Onslow County Civil District Court;

(b) That Attorney JILL R. HOWARD failed to bring the action in the correct name of her client, knowing that the Order of July 23, 1985 in 85-CvD-1113, Onslow Civil District Court provided for Plaintiff, CAROLYN MARTIN, to resume her maiden name of LEVY;

(c) That Attorney JILL R. HOWARD failed to advise the Court that her client was also married to DANNY GRIFFIN and SHAWN FRECHETTE at the time she was seeking an annulment from QUINTON WEBB on October 25, 1985.

12. That the Court finds as a fact that CAROLYN LEVY a/k/a CAROLYN GRIFFIN a/k/a CAROLYN MARTIN a/k/a CAROLYN WEBB a/k/a CAROLYN FRECHETTE did not deliberately, willfully or intentionally misled the Court in seeking this annulment of October 25, 1985 in that she was acting pursuant to legal advice given to her by Attorney JILL R. HOWARD as to the need for an annulment.

CONCLUSIONS OF LAW

1. That this Court has jurisdiction over the subject matter and the parties.

2. That the said CAROLYN LEVY a/k/a CAROLYN GRIFFIN a/k/a CAROLYN MARTIN a/k/a CAROLYN WEBB a/k/a CAROLYN FRECHETTE is not in willful contempt of this Court and the Order of October 25, 1985 granting to her an annulment should not be set aside.

3. That Attorney JILL R. HOWARD is in willful contempt of this said District Court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED as follows:

1. That the Show Cause Order issued against CAROLYN WEBB dated November 6, 1985 is hereby dismissed.

2. That the said Attorney JILL R. HOWARD is found in

contempt of this said District Court but may purge herself of this contempt by immediately paying into the hands of the Clerk of Superior Court of Onslow County, North Carolina the sum of Five Hundred and No/100 (\$500.00) Dollars.

3. That Attorney JILL R. HOWARD is hereby cited to appear before the Honorable HENRY L. STEVENS, III, Senior Resident Superior Court Judge of the Fourth Judicial District, who shall rule, pursuant to the powers of the Superior Court, as to the said attorney, JILL R. HOWARD's, right to practice law and any discipline that she should receive because of this finding of contempt of Court in lieu of citing the said attorney to the North Carolina State Bar for any type discipline.

This the 21st day of April, 1986.


WILLIAM M. CAMERON, JR.
District Court Judge Presiding