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STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
89G 0216(III)

IN THE MATTER OF

WILLIAM L. SITTON, JR.
ATTORNEY AT LAW

PUBLIC REPRIMAND

On July 13, 1989, the Grievance Committee of the North Carolina State Bar met and considered the grievance established upon your voluntary disclosure of information to the North Carolina State Bar.

Pursuant to Section 13(7) of Article IX of the Rules and Regulations of the North Carolina State Bar, the Grievance Committee, after considering the evidence, including your response to the Letter of Notice, found probable cause which is defined in the rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue a Private Reprimand, a Public Reprimand, or a Public Censure to the accused attorney.

The Grievance Committee was of the opinion that a complaint and hearing are not required in this case and issues this Public Reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this Public Reprimand and I am certain that you will understand fully the spirit in which this duty is performed.

A Public Reprimand is a serious form of discipline imposed by the Grievance Committee. The Grievance Committee felt that your conduct warranted public discipline due to your violation of the Rules of Professional Conduct. The committee trusts that this misconduct will not recur.

After an injury which you sustained in a fall on August 17, 1987, you became addicted to the medication prescribed for your injury. After not being able to voluntarily withdraw from taking the medication, and not being able to get more of the medication prescribed since your injury no longer required it, you called a Union County pharmacist, identified yourself as a physician, and ordered the medication for a fictitious patient. You then picked up the medication from the pharmacist. You continued calling pharmacists in three counties for prescriptions of the medication identifying yourself as a doctor and prescribing the medication for fictitious persons for approximately four months. In February 1988 you were arrested in Union County for obtaining controlled substances by fraud. You subsequently sought advice from a doctor and, following his advice, checked yourself into Willingway Hospital in Georgia for inpatient treatment which lasted for five weeks. You have since

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continued treatment by active participation in an Alcoholics Anonymous program. You eventually entered a no contest plea to two misdemeanor counts of possession of a controlled substance in Union County. You further resolved all other potential criminal charges in Mecklenburg and Iredell Counties.

Your having obtained controlled substances by fraud violated Rule 1.2(B) and (C) of the Rules of Professional Conduct. However, the committee was cognizant of the addiction which caused your misconduct and understood that the addiction occurred from prescription medication rather than from some illegal experimentation with drugs. The committee was also impressed with your efforts to overcome your addiction by your voluntary hospitalization and your active participation in continuing treatment. The committee was also impressed with the evidence that your legal skills were not adversely affected during your period of dependency so that no client was adversely affected. As a result of these strong mitigating factors, the committee voted to issue you this reprimand rather than send this matter to the Disciplinary Hearing Commission.

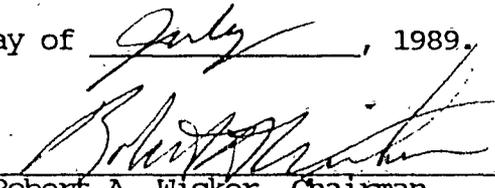
You are hereby publicly reprimanded by the North Carolina State Bar due to your professional misconduct. The Grievance Committee trusts that you will ponder this Public Reprimand, recognize the error that you have made, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession. This Public Reprimand should serve as a strong reminder and inducement for you to weigh carefully in the future your responsibility to the public, your clients, your fellow attorneys and the courts to the end that you demean yourself as a respected member of the legal profession whose conduct may be relied upon without question.

This Public Reprimand will be maintained as a permanent record in the judgment book of the North Carolina State Bar. A copy also is available to the public upon request.

Within 15 days after this Public Reprimand is served upon you, you may refuse this Public Reprimand and request that charges be filed. Such refusal and request must be addressed to the Grievance Committee and filed with the Secretary. If you do file such refusal and request, counsel shall thereafter be instructed to prepare and file a complaint against you with the Disciplinary Hearing Commission of the North Carolina State Bar. The Hearing before the Disciplinary Hearing Commission is public and all of its proceedings and its decision are public.

In accordance with the policy adopted October 15, 1981 by the Council of the North Carolina State Bar regarding the taxing of the administrative and investigative costs to any attorney issued a reprimand by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this 28 day of July, 1989.


Robert A. Wicker, Chairman
The Grievance Committee
North Carolina State Bar

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