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NORTH CAROLINA  
WAKE COUNTY

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BEFORE THE COUNCIL OF THE  
NORTH CAROLINA STATE BAR

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IN THE MATTER OF,  
JAMES LAWRENCE SWISHER,  
Attorney at Law,  
Greensboro, North Carolina.

ORDER

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THIS CAUSE came on to be heard before the Council of The North Carolina State Bar at its regular scheduled quarterly meeting held on April 13, 1979, in the Offices of The North Carolina State Bar, 208 Fayetteville Street Mall, Raleigh, North Carolina, and the Council found the following facts:

1. James Lawrence Swisher is a duly licensed attorney in North Carolina having been admitted to practice in North Carolina on August 30, 1962.
2. That from August 30, 1962 until on or about January, 1979, James L. Swisher was actively engaged in the practice of law in Guilford County.
3. That on July 15, 1977 James L. Swisher was convicted in the United States District Court of the Middle District of North Carolina of the offense of obstructing justice in that he allegedly requested certain persons not to furnish to criminal investigators for the Internal Revenue Service information bearing upon his income for certain years; that from said conviction, an appeal was taken by Mr. Swisher and subsequently the conviction was affirmed.
4. The judgment and sentence of the Court was that the defendant was committed to the custody of the Attorney General for imprisonment for a period of twentyfour (24) months.
5. That upon said appeal being affirmed, James L. Swisher resigned and tendered his license to practice law to the Council of The North Carolina State Bar; that with said license, James L. Swisher submitted an affidavit in which he stated that his resignation was freely and voluntarily made; that it was not the result of coercion or duress and that he was fully aware of the implications of submitting the resignation; Mr. Swisher further stated the affidavit that he was aware of the pending investigation regarding allegations of misconduct and that the material facts, including the conviction, are a matter of public record and are true.

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6. Based upon the findings above set forth, the Council concludes that James L. Swisher's conduct constituted a violation of DR 1-102(A)(3)(4).

Upon motion duly made and seconded, it was:

RESOLVED, that the resignation of James Lawrence Swisher and the tender of his license to practice law be accepted as of February 5, 1979 and that he be disbarred from the practice of law in North Carolina;

BE IT FURTHER RESOLVED, that James Lawrence Swisher, be taxed with the costs of this proceeding;

BE IT FURTHER RESOLVED, that the President of The North Carolina State Bar enter an Order consistent with the Findings of Fact and the aforementioned Resolutions.

Based upon the Resolutions duly adopted at the quarterly meeting of The North Carolina State Bar on Friday, April 13, 1979 in the Offices of The North Carolina State Bar, 208 Fayetteville Street Mall, Raleigh, North Carolina, it is hereby ORDERED:

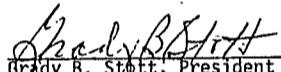
That based upon the Findings of Fact as set forth above, that James L. Swisher be and he is hereby disbarred from the practice of law in North Carolina effective February 5, 1979.

That James L. Swisher be taxed with the costs of this proceeding.

That a copy of this Order be forwarded to the General Court of Justice of the State of North Carolina and to the appropriate authorities of the United States Federal Courts in the State of North Carolina.

Done at Raleigh, North Carolina, pursuant to the Resolution duly adopted by the Council of The North Carolina State Bar on April 13, 1979.

This the 24th day of April, 1979.

  
Grady B. Stott, President  
The North Carolina State Bar

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