

NORTH CAROLINA
COUNTY OF WAKE

14450
BEFORE THE
GRIEVANCE COMMITTEE OF THE
NORTH CAROLINA STATE BAR
92G 266

IN RE: JOHN M. CLOUD,)
ATTORNEY AT LAW) ORDER OF RECIPROCAL DISCIPLINE
)

Pursuant to the authority vested in me as Chairman of the Grievance Committee of the North Carolina State Bar by Art. IX, Sections 5(A)(12) and 16(B) of the Rules and Regulations of the North Carolina State Bar and based upon the record in this matter, the undersigned finds as follows:

1. On Nov. 14, 1991, the Virginia State Bar held a disciplinary hearing to determine whether John M. Cloud had violated provisions of the Virginia Disciplinary Rules regarding his representation of Gregory L. Buttry in a domestic matter.
2. Following the Nov. 14, 1991 hearing, the Virginia State Bar entered an order which found that Cloud violated DR 6-101 regarding his handling of Buttry's case. The Virginia State Bar imposed a public reprimand.
3. On April 15, 1992, a Notice of Reciprocal Discipline was mailed to Cloud by certified mail, return receipt requested, directing him to show cause within 30 days of service of any grounds why the identical discipline should not be imposed upon him by the N.C. State Bar.
4. The Notice of Reciprocal Discipline was served upon Cloud on April 23, 1992 as evidenced by the return receipt received by the N.C. State Bar from the U.S. Postal Service.
5. On May 2, 1992, Cloud responded to the Notice of Reciprocal Discipline. In Cloud's response, he contended that the N.C. State Bar should not impose reciprocal discipline regarding the Buttry matter, because the Virginia State Bar had not "given full faith and credit" to the decision of the N.C. State Bar in an unrelated grievance.
6. Cloud did not present evidence that any of the grounds set out in Section 16(B)(3) of the Discipline & Disbarment Rules existed.

BASED UPON the foregoing findings, the undersigned Chairman of the Grievance Committee makes the following conclusions of law:

1. The North Carolina State Bar has jurisdiction over the subject matter and the person of John M. Cloud.
2. The procedures for imposition of reciprocal discipline pursuant to Art. IX, Section 16(B) of the Rules and Regulations of the N.C. State Bar have been met.

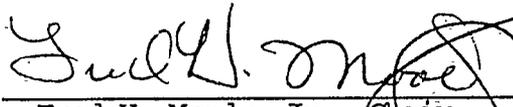
3. The violations of the Virginia Code of Professional Responsibility found by the Virginia State Bar are also violations of Rule 6(B)(1) and (3) of the North Carolina Rules of Professional Conduct.

4. The public reprimand imposed by the Virginia State Bar is equivalent to a reprimand as defined by the Discipline & Disbarment Rules of the N.C. State Bar and a reprimand should therefore be imposed by the North Carolina State Bar.

WHEREFORE, IT IS HEREBY ORDERED THAT:

1. John M. Cloud is hereby reprimanded for his misconduct.
2. John M. Cloud is hereby taxed with the costs of this proceeding as assessed by the Secretary of the N.C. State Bar.

This the 7 day of August, 1992.



Fred H. Moody, Jr., Chair
Grievance Committee

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