

NORTH CAROLINA  
WAKE COUNTY



16422

BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
NORTH CAROLINA STATE BAR  
00 DHC 6

THE NORTH CAROLINA STATE BAR )

Plaintiff, )

v. )

ROBERT N. WECKWORTH, JR., )

Defendant. )

FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND ORDER

This matter was heard on the 11<sup>th</sup> day of August, 2000, before a hearing committee of the Disciplinary Hearing Commission composed of Richard T. Gammon, Chair; Joseph G. Maddrey and Charles Barnes, Hearing Committee Members. The Defendant, Robert N. Weckworth, Jr. was represented by Amiel J. Rossabi. The Plaintiff was represented by Fern Gunn Simeon. Based upon the pleadings and stipulations of fact contained in the Stipulations on Prehearing Conference filed by the parties, the Hearing Committee hereby enters the following:

FINDINGS OF FACT

1. Plaintiff, the North Carolina State Bar, is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar promulgated thereunder.

2. Defendant, Robert N. Weckworth, Jr. (hereinafter, "Defendant"), was admitted to the North Carolina State Bar in 1989 and is, and was at all times referred to herein, an attorney at law licensed to practice law in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

3. During the periods referred to herein, Defendant was engaged in the practice of law in North Carolina and maintained a primary law office in Greensboro, North Carolina.

4. That on or about February 28, 2000, Plaintiff filed a complaint against the Defendant.

5. That in the Plaintiff's complaint, it alleges that the Defendant has violated the Rules of Professional Conduct by violation Rule 1.16(c) of the revised Rules of Professional Conduct.

6. Rule 1.16(c) provides for permission from withdrawal from representation of the client, as required by the rules of a tribunal, "A lawyer shall not withdraw from the representation of a client in a proceeding before that tribunal, without permission of the tribunal."

7. That the parties have stipulated to certain testimony and other stipulations as provided in the stipulations of Prehearing order, and those stipulations and agreed upon testimony are made a part of the findings of fact now incorporated in reference.

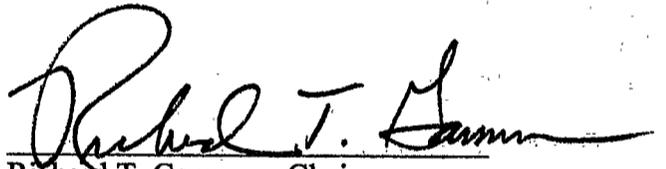
Based upon the foregoing Findings of Facts, the Committee makes the following:

#### CONCLUSIONS OF LAW

1. All parties are properly before the Hearing Committee and the Committee has jurisdiction over the Defendant, Robert N. Weckworth, Jr., and the subject matter.
2. That the Plaintiff has completed the presentation of its evidence.
3. That the Defendant has moved for a dismissal pursuant to Rule 41(b).
4. That the panel unanimously finds that the plaintiff has shown no right to relief in this case.

Based upon these Conclusions of Law, which are based upon the Findings of Fact, this matter pursuant to Rule 41 (b) is hereby dismissed.

This the 5<sup>th</sup> day of September, 2000

  
Richard T. Gammon, Chairman  
Hearing Committee