

NORTH CAROLINA  
WAKE COUNTY



16978

BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF THE  
NORTH CAROLINA STATE BAR  
00 DHC 16

THE NORTH CAROLINA STATE BAR,  
Plaintiff

v.

DEXTER D. MIRACLE, Attorney,  
Defendant

)  
)  
) ORDER TRANSFERRING  
) DEFENDANT TO  
) DISABILITY INACTIVE STATUS  
)  
)

This cause was scheduled to be heard on February 9, 2001 before a hearing committee of the Disciplinary Hearing Commission composed of Joseph G. Maddrey, Chair, Michael L. Bonfoey and Robert B. Frantz. On February 8, 2001, the defendant delivered a letter to the North Carolina State Bar signed by a Raleigh psychiatrist, Philip L. Hillsman. Based upon Dr. Hillsman's letter, the hearing committee hereby enters the following:

FINDINGS OF FACT

1. 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 North Carolina General Statutes and the Rules and Regulations of the North Carolina State Bar.
2. The defendant was admitted to the North Carolina State Bar on October 24, 1989 and was at all times relevant hereto licensed to practice law in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar.
3. During all times relevant to the allegations of the complaint, the defendant was actively engaged in the practice of law in Wake County, and maintained a law office in Raleigh, North Carolina.
4. The defendant was properly served with process in this matter.
5. The defendant suffers from Major Depression.
6. The defendant's depression is sufficiently severe to prevent him from practicing as an attorney at this time.
7. The defendant is disabled by his depression.

8. The defendant has consented to being placed on disability inactive status.

Based upon the foregoing Findings of Fact, the hearing committee enters the following:

#### CONCLUSIONS OF LAW

1. All parties are properly before the hearing committee and the committee has jurisdiction over the defendant and the subject matter.

2. The defendant is disabled within the meaning of 21 N.C. Admin. Code Chapter 1, Subchapter B, § .0003(h) of the N.C. State Bar Discipline & Disability Rules and is not competent to practice law in North Carolina.

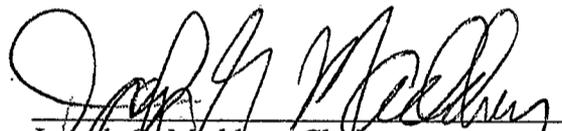
Based upon the findings of fact and conclusions of law, the hearing committee hereby enters the following:

#### ORDER TRANSFERRING ATTORNEY TO INACTIVE STATUS

1. The defendant is hereby transferred to inactive status on the ground of disability until he is reinstated pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, §.0125(c) of the N.C. State Bar Discipline & Disability Rules.

2. The defendant shall pay the costs of this proceeding as assessed by the Secretary prior to applying for reinstatement to active status.

Signed by the hearing committee chair with the consent of all committee members this the 16<sup>th</sup> day of February, 2001.

  
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Joseph G. Maddrey, Chair  
Hearing Committee